

APPEAL

**U.S. District Court  
District of Rhode Island (Providence)  
CIVIL DOCKET FOR CASE #: 1:25-cv-00039-JJM-PAS**

State of New York et al v. Trump et al  
Assigned to: Chief Judge John J. McConnell, Jr.  
Referred to: Magistrate Judge Patricia A. Sullivan  
Case in other court: First Circuit, 25-01138 (requires PACER login)  
First Circuit, 25-01236 (requires PACER login)

Cause: 05:551 Administrative Procedure Act

**Plaintiff**

**State of New York**

Date Filed: 01/28/2025  
Jury Demand: Plaintiff  
Nature of Suit: 899 Other Statutes:  
Administrative Procedures Act/Review or  
Appeal of Agency Decision  
Jurisdiction: U.S. Government Defendant

represented by **Kathryn M. Sabatini**  
Rhode Island Attorney General  
150 South Main Street  
Providence, RI 02906  
401-274-4400  
Email: [KSabatini@riag.ri.gov](mailto:KSabatini@riag.ri.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Leonard Giarrano , IV**  
RI Department of Attorney General  
150 South Main Street  
Providence, RI 02903  
401-274-4400  
Email: [lgarrano@riag.ri.gov](mailto:lgarrano@riag.ri.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Colleen K. Faherty**  
NYS Office of The Attorney General  
Executive Division – Office of Federal  
Initiatives  
28 Liberty St.  
18th Floor  
New York, NY 10005  
212-416-6046  
Fax: 212-416-6009  
Email: [colleen.faherty@ag.ny.gov](mailto:colleen.faherty@ag.ny.gov)  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Michael Joseph Myers**  
NYS Attorney General  
Env. Prot. Bureau, The Capitol  
Albany, NY 12224

(518) 776-2382

Email: [Michael.Myers@ag.ny.gov](mailto:Michael.Myers@ag.ny.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**

NYS Office of The Attorney General

28 Liberty Street

18th Floor

New York, NY 10005

212-416-8679

Email: [molly.thomas-jensen@ag.ny.gov](mailto:molly.thomas-jensen@ag.ny.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Rabia Muqaddam**

Office of the New York State Attorney  
General

28 Liberty St

New York, NY 10005

212-416-8883

Email: [rabia.muqaddam@ag.ny.gov](mailto:rabia.muqaddam@ag.ny.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Zoe Levine**

NYS Office of The Attorney General

28 Liberty Street

New York, NY 10005

212-416-8329

Email: [zoe.levine@ag.ny.gov](mailto:zoe.levine@ag.ny.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Sarah Rice**

RI Department of Attorney General

150 South Main Street

Providence, RI 02903

401-274-4400

Email: [srice@riag.ri.gov](mailto:srice@riag.ri.gov)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of California**

represented by **Kathryn M. Sabatini**  
(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Carly J. Munson**

California Dept. of Justice  
1300 I Street  
Sacramento, CA 95814  
916-210-7845  
Email: [carly.munson@doj.ca.gov](mailto:carly.munson@doj.ca.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Christine Chuang**

Office of The Attorney General  
California  
455 Golden Gate Avenue  
Suite 11000  
San Francisco, CA 94102  
415-510-3525  
Email: [christine.chuang@doj.ca.gov](mailto:christine.chuang@doj.ca.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Christopher J. Kissel**

California Dept. of Justice  
300 S. Spring Street  
Los Angeles, CA 90013  
213-269-6388  
Fax: 213-269-6250  
Email: [christopher.kissel@doj.ca.gov](mailto:christopher.kissel@doj.ca.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kenneth J. Sugarman**

Office of The Attorney General  
Office of the Attorney General  
455 Golden Gate Avenue  
Suite 11000  
San Francisco, CA 94110  
415-510-3531  
Email: [kenneth.sugarman@doj.ca.gov](mailto:kenneth.sugarman@doj.ca.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Lara Haddad**

California Dept. of Justice  
Los Angeles, CA 90013  
213-269-6250  
Fax: 916-269-6250  
Email: [lara.haddad@doj.ca.gov](mailto:lara.haddad@doj.ca.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Laura Faer**

Office of The Attorney General  
1515 Clay Street  
Ste 20th Floor  
Oakland, CA 94612  
510-879-3304  
Email: [laura.faer@doj.ca.gov](mailto:laura.faer@doj.ca.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Marie E. Logan**  
California Dept. of Justice  
1515 Clay St  
Oakland, CA 94612  
510-879-3136  
Email: [marie.logan@doj.ca.gov](mailto:marie.logan@doj.ca.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Nicholas R. Green**  
California Dept. of Justice  
San Francisco, CA 94102  
415-510-3597  
Email: [nicholas.green@doj.ca.gov](mailto:nicholas.green@doj.ca.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Theodore McCombs**  
Office of The Attorney General  
Office of the Attorney General  
600 W. Broadway, Suite 1800  
San Diego, CA 92110  
619-738-9000  
Email: [theodore.mccombs@doj.ca.gov](mailto:theodore.mccombs@doj.ca.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Illinois**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alex Hemmer**  
Illinois Attorney General's Office  
115 S. LaSalle St.  
Chicago, IL 60603  
312-814-5526  
Email: [alex.hemmer@ilag.gov](mailto:alex.hemmer@ilag.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Robert Henry Weaver**  
Office of the Illinois Attorney General  
Special Litigation Bureau  
115 S. LaSalle St.  
35th Floor  
Chicago, IL 60603  
773-590-6838  
Email: [robert.weaver@ilag.gov](mailto:robert.weaver@ilag.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Rhode Island**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of New Jersey**

represented by **Kathryn M. Sabatini**  
(See above for address)

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Angela Cai**  
Office of the NJ Attorney General  
25 Market St  
PO Box 080  
Trenton, NJ 06811  
609-414-5954  
Email: [angela.cai@njoag.gov](mailto:angela.cai@njoag.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Jeremy Feigenbaum**  
NJ AG's Office  
25 Market St  
PO Box 080  
Trenton, NJ 06811  
609-376-2690  
Email: [jeremy.feigenbaum@njoag.gov](mailto:jeremy.feigenbaum@njoag.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Shankar Duraiswamy**  
New Jersey Office of Attorney General  
33 Washington St  
Newark, NJ 07102  
609-649-1019  
Email: [shankar.duraiswamy@njoag.gov](mailto:shankar.duraiswamy@njoag.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Commonwealth of Massachusetts**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anna Esther Lumelsky**  
Massachusetts Attorney General's Office  
One Ashburton Place  
Boston, MA 02108  
617-963-2334  
Email: [Anna.Lumelsky@mass.gov](mailto:Anna.Lumelsky@mass.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Chris Pappavaselio**  
Massachusetts Attorney General's Office  
One Ashburton Pl.  
Boston, MA 02108  
213-219-0765  
Email: [chris.pappavaselio2@mass.gov](mailto:chris.pappavaselio2@mass.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Julia Jonas-Day**  
Massachusetts Office of the Attorney  
General  
One Ashburton Place  
18th Fl  
Boston, MA 02108  
781-799-8675  
Email: [julia.jonas-day@mass.gov](mailto:julia.jonas-day@mass.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Katherine Brady Dirks**  
Massachusetts Attorney General's Office  
1 Ashburton Pl.  
Ste 20th Floor  
Boston, MA 02478  
617-963-2277  
Email: [katherine.dirks@mass.gov](mailto:katherine.dirks@mass.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Nathaniel James Hyman**  
Massachusetts Office of the Attorney  
General  
1 Ashburton Place  
18th Floor

Boston, MA 02108  
617-963-2514  
Email: [nathaniel.j.hyman@mass.gov](mailto:nathaniel.j.hyman@mass.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Turner Helen Smith**  
MA Office of the Attorney General  
One Ashburton Place  
Ste 18th Floor  
Boston, MA 02108  
617-721-9174  
Email: [Turner.Smith@mass.gov](mailto:Turner.Smith@mass.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Vanessa A. Arslanian**  
Office of Massachusetts Attorney General  
1 Ashburton Place  
Boston, MA 02108  
617-963-2107  
Email: [Vanessa.arslanian@mass.gov](mailto:Vanessa.arslanian@mass.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Arizona**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joshua David Rothenberg Bendor**  
Arizona Attorney General's Office  
Solicitor General  
2005 North Central Avenue  
Phoenix, AZ 85004  
602-542-8958  
Fax: 602-542-8308  
Email: [joshua.bendor@azag.gov](mailto:joshua.bendor@azag.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**



(See above for address)  
*ATTORNEY TO BE NOTICED*

**Nathan T. Arrowsmith**  
Arizona Attorney General's Office  
Solicitor General's Office  
2005 North Central Avenue  
Phoenix, AZ 85004  
602-542-8636  
Email: [nathan.arrowsmith@azag.gov](mailto:nathan.arrowsmith@azag.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Colorado**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Shannon Wells Stevenson**  
Colorado Department of Law  
1300 Broadway  
10th Floor  
Denver, CO 80203  
720-508-6749  
Email: [shannon.stevenson@coag.gov](mailto:shannon.stevenson@coag.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Connecticut**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jill Lacedonia**  
Office of the Attorney General, State of  
Connecticut  
Environment Department  
165 Capitol Avenue  
Hartford, CT 06106  
860-808-5250  
Fax: 860-808-5386  
Email: [jill.lacedonia@ct.gov](mailto:jill.lacedonia@ct.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Michael Kenneth Skold**  
State of Connecticut Office of the Attorney  
General  
Administration  
165 Capitol Avenue  
Ste 5000  
Hartford, CT 06106  
860-808-5316  
Fax: 860-808-5387  
Email: [michael.skold@ct.gov](mailto:michael.skold@ct.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Delaware**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)

*ATTORNEY TO BE NOTICED*

**Vanessa L. Kassab**

Delaware Department of Justice  
Division of Fraud and Consumer  
Protection

Carvel State Building

820 N. French St.

Wilmington, DE 19801

302-683-8881

Email: [vanessa.kassab@delaware.gov](mailto:vanessa.kassab@delaware.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Sarah Rice**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**District of Columbia**

represented by **Kathryn M. Sabatini**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew C. Mendrala**

Office of the Attorney General for the  
District of Columbia

Civil Rights Section

400 Sixth Street N.W.

Washington, DC 20001

202-724-9726

Email: [andrew.mendrala@dc.gov](mailto:andrew.mendrala@dc.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Sarah Rice**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Hawaii**

represented by **Kathryn M. Sabatini**

(See above for address)

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David D. Day**  
State of Hawaii Dept. of the Attorney  
General  
425 Queen Street  
Honolulu, HI 96813  
808-586-1284  
Fax: 808-586-1239  
Email: [david.d.day@hawaii.gov](mailto:david.d.day@hawaii.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Kalikoonalani Diara Fernandes**  
Department of the Attorney General, State  
of Hawaii  
425 Queen Street  
Honolulu, HI 96813  
808-586-1360  
Email: [kaliko.d.fernandes@hawaii.gov](mailto:kaliko.d.fernandes@hawaii.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Maine**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jason David Anton**  
Office of the Maine Attorney General  
6 State House Station  
Augusta, ME 04333

207-626-8412

Email: [jason.anton@maine.gov](mailto:jason.anton@maine.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Sarah Rice**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Maryland**

represented by **Kathryn M. Sabatini**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Adam Kirschner**

Office of the Attorney General– State of  
Maryland

200 Saint Paul Place

Baltimore, MD 21202

410-576-6424

Email: [akirschner@oag.state.md.us](mailto:akirschner@oag.state.md.us)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Sarah Rice**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Michigan**

represented by **Kathryn M. Sabatini**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Linus Banghart–Linn**

Michigan Dept of Atty General

525 W Ottawa St

Lansing, MI 48933

517–281–6677

Fax: 517–335–7644

Email: [banghart-linnl@michigan.gov](mailto:banghart-linnl@michigan.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Molly Thomas–Jensen**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Neil Giovanatti**

Michigan Department of Attorney General

525 W. Ottawa Street

P.O. Box 30758

Lansing, MI 48909

517–335–7603

Email: [giovanattin@michigan.gov](mailto:giovanattin@michigan.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Sarah Rice**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Minnesota**

represented by **Kathryn M. Sabatini**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Elizabeth Kramer**

MN Attorney General Office

445 Minnesota Street

St. Paul, MN 55102

651–757–1010

Email: [liz.kramer@ag.state.mn.us](mailto:liz.kramer@ag.state.mn.us)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Molly Thomas–Jensen**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Sarah Rice**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Nevada**

represented by **Kathryn M. Sabatini**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Heidi Parry Stern**

Nevada Attorney General's Office  
Solicitor General

1 State of Nevada Way

Ste 100

Las Vegas, NV 89119

702-486-3594

Email: [hstern@ag.nv.gov](mailto:hstern@ag.nv.gov)

*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Sarah Rice**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of North Carolina**

represented by **Kathryn M. Sabatini**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Daniel P. Mosteller**

N.C Department of Justice

PO Box 629

Raleigh, NC 27602

919-716-6026  
Email: [dmosteller@ncdoj.gov](mailto:dmosteller@ncdoj.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of New Mexico**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Anjana Samant**  
NM Department of Justice  
408 Galisteo St  
Santa Fe, NM 87501  
505-270-4332  
Email: [asamant@nmdoj.gov](mailto:asamant@nmdoj.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Oregon**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*



**Christina L. Beatty-Walters**

Oregon Department of Justice

100 SW Market Street

Portland, OR 97201-5702

971-673-1880

Fax: 971-673-5000

Email: [tina.beattywalters@doj.oregon.gov](mailto:tina.beattywalters@doj.oregon.gov)*PRO HAC VICE**ATTORNEY TO BE NOTICED***Molly Thomas-Jensen**

(See above for address)

*ATTORNEY TO BE NOTICED***Sarah Rice**

(See above for address)

*ATTORNEY TO BE NOTICED***Plaintiff****State of Vermont**represented by **Kathryn M. Sabatini**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Leonard Giarrano , IV**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Jonathan T. Rose**

Office of the Attorney General

Appellate Unit

109 State Street

Montpelier, VT 05609

802-793-1646

Email: [jonathan.rose@vermont.gov](mailto:jonathan.rose@vermont.gov)*PRO HAC VICE**ATTORNEY TO BE NOTICED***Molly Thomas-Jensen**

(See above for address)

*ATTORNEY TO BE NOTICED***Sarah Rice**

(See above for address)

*ATTORNEY TO BE NOTICED***Plaintiff****State of Washington**represented by **Kathryn M. Sabatini**

(See above for address)

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew R.W. Hughes**  
State of Washington Attorney General's  
Office  
Complex Litigation  
800 Fifth Avenue  
Suite 2000  
Seattle, WA 98104  
206-464-7744  
Email: [andrew.hughes@atg.wa.gov](mailto:andrew.hughes@atg.wa.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Leah Brown**  
Office of the Washington Attorney General  
Environmental Protection Division  
800 Fifth Ave  
Suite 2000  
Seattle, WA 98104  
206-233-3391  
Fax: 206-587-5088  
Email: [leah.brown@atg.wa.gov](mailto:leah.brown@atg.wa.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**State of Wisconsin**

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Aaron Bibb**

Wisconsin Department of Justice  
Special Litigation & Appeals  
17 West Main St.  
Madison, WI 53703  
608-266-0810  
Email: [bibbaj@doj.state.wi.us](mailto:bibbaj@doj.state.wi.us)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Molly Thomas-Jensen**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Office of the Governor of Kentucky ex  
rel. Andy Beshear**  
*Office of the Governor of Kentucky ex  
rel. Andy Beshear*

represented by **Kathryn M. Sabatini**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Leonard Giarrano , IV**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Sarah Rice**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Laura Crittenden Tipton**  
Office of the Governor  
700 Capitol Ave  
Ste. 106  
Frankfort, KY 40601  
502-564-2611  
Fax: 502-564-6858  
Email: [laurac.tipton@ky.gov](mailto:laurac.tipton@ky.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Steven Travis Mayo**  
Office of the Governor  
Office of General Counsel  
The Capitol Building  
700 Capitol Avenue  
Ste 106  
Frankfort, KY 40601  
502-564-2611

Fax: 502-564-1275  
Email: [travis.mayo@ky.gov](mailto:travis.mayo@ky.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Taylor Payne**  
Office of the Governor  
700 Capitol Ave  
Ste. 106  
Frankfort, KY 40601  
502-564-2611  
Fax: 502-564-6858  
Email: [taylor.payne@ky.gov](mailto:taylor.payne@ky.gov)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Donald Trump**  
*in his official capacity as President of the  
United States*

represented by **Daniel Schwei**  
DOJ-Civ  
1100 L St., N.W.  
Room 11532  
Washington, DC 20530  
202-305-8693  
Email: [daniel.s.schwei@usdoj.gov](mailto:daniel.s.schwei@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
DOJ-Civ  
1100 L Street NW  
Ste 12308  
Washington, DC 20005  
202-305-0879  
Email: [andrew.f.freidah@usdoj.gov](mailto:andrew.f.freidah@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
DOJ-Civ  
1100 L Street NW  
Room 12310  
Washington, DC 20005  
585-694-1124  
Email: [eitan.r.sirkovich@usdoj.gov](mailto:eitan.r.sirkovich@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Office of Management and Budget**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Matthew Vaeth**

*in his official capacity as Acting Director  
of the U.S. Office of Management and  
Budget*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of the Treasury**

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Scott Bessent**

*in his official capacity as Secretary of the  
Treasury*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Patricia Collins**

*in her official capacity as Treasurer of  
the U.S.*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Health and Human  
Services**

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**M.D. Dorothy A Fink**

*in her official capacity as Acting  
Secretary of Health and Human Services  
TERMINATED: 03/06/2025*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Education**

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Denise Carter**

*in her official capacity as Acting  
Secretary of Education*

*TERMINATED: 03/06/2025*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Federal Emergency Management  
Agency**

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Cameron Hamilton**

*in his official capacity as Acting  
Administrator of the U.S. Federal  
Emergency Management*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Transportation**

represented by

**Daniel Schwei**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED***Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****Judith Kaleta***in her official capacity as Acting  
Secretary of Transportation*represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED***Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****U.S. Department of Labor**represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED***Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED***Defendant****Vince Micone***in his official capacity as Acting  
Secretary of Labor*represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*



**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Energy**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Ingrid Kolb**  
*in her official capacity as Acting  
Secretary of the U.S. Department of  
Energy*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Environmental Protection Agency**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**James Payne**  
*in his official capacity as Acting  
Administrator of the U.S. Environmental*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*

*Protection Agency*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Homeland Security**

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Kristi Noem**

*in her official capacity as Secretary of  
the U.S. Department of Homeland  
Security*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Justice**

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**James R McHenry, III**  
*in his official capacity as Acting Attorney  
General of the U.S. Department of  
Justice*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**The National Science Foundation**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr. Sethuraman Panchanathan**  
*in his capacity as Director of the  
National Science Foundation*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Lee Michael Zeldin**  
*Administrator of the Environmental  
Protection Agency*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Christopher Allen Wright**

*Secretary of the U.S. Department of  
Energy*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Sean P. Duffy**

*Secretary of the U.S. Department of  
Transportation*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Russell Vought**

*Director of the U.S. Office of  
Management and Budget*

represented by **Daniel Schwei**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

represented by

**U.S. Department of the Interior**  
*U.S. Department of the Interior*

**Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Douglas Burgum**  
*Douglas Burgum, in his official capacity*  
*as Secretary of the Interior*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Pamela Bondi**  
*Pamela Bondi, in her official capacity as*  
*Attorney General of the U.S. Department*  
*of Justice*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Agriculture**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Gary Washington**  
*Gary Washington, in his official capacity  
as Acting Secretary of Agriculture  
TERMINATED: 03/06/2025*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Housing and  
Urban Development**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Scott Turner**  
*Scott Turner, in his official capacity as  
Secretary of Housing and Urban  
Development*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of State**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Marco Rubio**  
*Marco Rubio, in his official capacities as  
Secretary of State and Acting  
Administrator of the United States  
Agency for International Development*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Agency for International  
Development**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Defense**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Peter Hegseth**

*Peter Hegseth, in his official capacity as  
Secretary of Defense*

represented by **Daniel Schwei**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Veterans Affairs**

represented by **Daniel Schwei**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Douglas Collins**

*Douglas Collins, in his official capacity  
as Secretary of Veterans Affairs*

represented by **Daniel Schwei**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Department of Commerce**

represented by **Daniel Schwei**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**

(See above for address)



ATTORNEY TO BE NOTICED

**Eitan Sirkovich**

(See above for address)

ATTORNEY TO BE NOTICED

**Defendant**

**Jeremy Pelter**

*Jeremy Pelter, in his official capacity as*

*Acting Secretary of Commerce*

*TERMINATED: 03/06/2025*

represented by **Daniel Schwei**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Andrew Freidah**

(See above for address)

ATTORNEY TO BE NOTICED

**Eitan Sirkovich**

(See above for address)

ATTORNEY TO BE NOTICED

**Defendant**

**National Aeronautics and Space  
Administration**

represented by **Daniel Schwei**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Andrew Freidah**

(See above for address)

ATTORNEY TO BE NOTICED

**Eitan Sirkovich**

(See above for address)

ATTORNEY TO BE NOTICED

**Defendant**

**Janet Petro**

*Janet Petro, in her official capacity as*

*Acting Administrator of National*

*Aeronautics and Space Administration*

represented by **Daniel Schwei**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

**Andrew Freidah**

(See above for address)

ATTORNEY TO BE NOTICED

**Eitan Sirkovich**

(See above for address)

ATTORNEY TO BE NOTICED

**Defendant**

represented by

**Corporation for National and  
Community Service**

**Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jennifer Bastress Tahmasebi**  
*Jennifer Bastress Tahmasebi, in her  
official capacity as Interim Head of the  
Corporation for National and  
Community Service*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Social Security Administration**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Michelle King**  
*Michelle King, in her official capacity as  
Acting Commissioner of United States  
Social Security Administration  
TERMINATED: 03/06/2025*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**U.S. Small Business Administration**

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Everett Woodel**

*Everett Woodel, in his official capacity as  
Acting Administrator of U.S. Small  
Business Administration  
TERMINATED: 03/06/2025*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Robert F. Kennedy, Jr.**

*in his official capacity as Secretary of the  
Department of Health and Human  
Services*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Linda McMahon**

*in her official capacity as Secretary of  
Education*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Brooke Rollins**  
*in her official capacity as Secretary of  
the Department of Agriculture*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Howard Lutnick**  
*in his capacity of the Secretary of  
Commerce*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Leland C. Dudek**  
*in his official capacity as Acting  
Commissioner of the Social Security  
Administration*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Kelly Loeffler**  
*in her official capacity as the  
Administrator of the Small Business  
Administration*

represented by **Daniel Schwei**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Andrew Freidah**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Eitan Sirkovich**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Amicus**

**American Center for Law and Justice**  
*TERMINATED: 02/13/2025*

represented by **Brandon S. Bell**  
Fontaine Bell, LLP  
One Davol Square  
Penthouse  
Providence, RI 02903  
274-8800  
Fax: 274-8880  
Email: [bbell@fontainebell.com](mailto:bbell@fontainebell.com)  
*ATTORNEY TO BE NOTICED*

V.

**Movant**

**VR School**  
*TERMINATED: 01/29/2025*

**Movant**

**Freedom Cheteni**  
531 Lasuen Mall  
#19492  
Stanford, CA 94305  
*United States Non Public School  
Superintendent*  
*TERMINATED: 01/30/2025*

**Movant**

**Arthur West**  
120 State Ave  
NE #1497  
Olympia, WA 98501  
*TERMINATED: 02/10/2025*

**Movant**

**Rubin Young**

14060 SW 258th Street  
Homestead, FL 33032  
256-864-2411

TERMINATED: 02/12/2025

**Movant**

**Cody R. Hart**

901 Metcalf Street #71  
Sedro-Wolley, WA 98284  
TERMINATED: 02/18/2025

**Movant**

**Derrill J. Fussell**

929. E. College Way  
Mount Vernon, WA 98273  
TERMINATED: 02/18/2025

**Movant**

**Rev. Anne Armstrong**

99 Hudson Pond Road  
West Greenwich, RI 02817  
401-304-6543  
TERMINATED: 02/24/2025

Date Filed	#	Docket Text
01/28/2025	<u>1</u>	COMPLAINT ( filing fee paid \$ 405.00, receipt number ARIDC-2092620 ), filed by State of Vermont, State of Arizona, State of California, State of Nevada, State of New York, State of North Carolina, State of Minnesota, State of Maryland, State of Oregon, State of Delaware, District of Columbia, State of Washington, State of Maine, State of Wisconsin, Commonwealth of Massachusetts, State of Illinois, State of Connecticut, State of Hawaii, State of Michigan, State of Colorado, State of Rhode Island, State of New Mexico, State of New Jersey. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet)(Rice, Sarah) (Entered: 01/28/2025)
01/28/2025		Case assigned to Chief Judge John J. McConnell, Jr. and Magistrate Judge Patricia A. Sullivan. (Simoncelli, Michael) (Entered: 01/28/2025)
01/28/2025	<u>2</u>	CASE OPENING NOTICE ISSUED (Simoncelli, Michael) (Entered: 01/28/2025)
01/28/2025	<u>3</u>	MOTION for Temporary Restraining Order filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit)(Rice, Sarah) (Entered: 01/28/2025)
01/28/2025	<u>4</u>	MOTION for Aaron J. Bibb to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092646 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>5</u>	MOTION for Alex Hemmer to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092647 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)

01/28/2025	<u>6</u>	MOTION for Andrew Hughes to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092648 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>7</u>	MOTION for Andrew C. Mendrala to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092649 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>8</u>	MOTION for Christina L. Beatty-Walters to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092650 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>9</u>	MOTION for Colleen K. Faherty to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092651 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>10</u>	MOTION for Daniel P. Mosteller to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092652 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>11</u>	MOTION for David D. Day to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092653 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>12</u>	MOTION for Jonathan T. Rose to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092654 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>13</u>	MOTION for Joshua David Rothenberg Bendor to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092655 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>14</u>	MOTION for Kalikoonalani D. Fernandes to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092656 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>15</u>	MOTION for Leah Brown to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092657 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>16</u>	MOTION for Linus Banghart-Linn to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092658 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>17</u>	MOTION for Michael Kenneth Skold to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092659 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>18</u>	MOTION for Molly Thomas-Jensen to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092660 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>19</u>	MOTION for Shannon Stevenson to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092662 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>20</u>	



		MOTION for Zoe Levine to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number BRIDC-2092663 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>21</u>	MOTION for Katherine Dirks to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092664 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>22</u>	MOTION for Angela Cai to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092665 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>23</u>	MOTION for Shankar Duraiswamy to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092667 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/28/2025	<u>24</u>	MOTION for Jeremy M. Feigenbaum to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092668 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/28/2025)
01/29/2025	<u>25</u>	MOTION for Jason Anton to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2092688 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025		NOTICE of Hearing on <u>3</u> MOTION for Temporary Restraining Order: Motion Hearing via Zoom <b><i>scheduled for Wednesday 1/29/2025 at 3:00 PM as a Remote Hearing</i></b> before Chief Judge John J. McConnell, Jr.; Zoom information has been provided to counsel under separate email. (Jackson, Ryan) (Entered: 01/29/2025)
01/29/2025	<u>26</u>	MOTION for Leave to File Amicus Brief filed by VR School. <b>Responses due by 2/12/2025.</b> (Attachments: # <u>1</u> Proposed Brief, # <u>2</u> Exhibit)(Simoncelli, Michael) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER denying <u>26</u> Motion for Leave to File Amicus Brief: VR School's Motion to File an Amicus Brief is DENIED. The filer, Mr. Freedom Cheteni, is not a member of the bar of this Court (or possibly any court). The Motion is filed on behalf of an entity called the "VR School." Pursuant to LR Gen 205(a), an entity needs an attorney of this Court to file with the Court. A non-lawyer may not file with the Court on behalf of an organization or corporate entity <i>pro se</i> . So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Jackson, Ryan) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>5</u> Motion to Appear Pro Hac Vice of Alex Hemmer. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>6</u> Motion to Appear Pro Hac Vice of Andrew Hughes. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>7</u> Motion to Appear Pro Hac Vice of Andrew C. Mendrala. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		DOCKET NOTE: Today's (Wednesday 1/29/25) proceedings in this matter are available to non-case participants via the Court's YouTube channel. Interested parties should visit the Court's website for further viewing information. (Jackson, Ryan)



		(Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>8</u> Motion to Appear Pro Hac Vice of Christina L. Beatty–Walters. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>9</u> Motion to Appear Pro Hac Vice of Colleen K. Faherty. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>10</u> Motion to Appear Pro Hac Vice of Daniel P. Mosteller. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>11</u> Motion to Appear Pro Hac Vice of David D. Day. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>12</u> Motion to Appear Pro Hac Vice of Jonathan T. Rose. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>13</u> Motion to Appear Pro Hac Vice of Joshua David Rothenberg Bendor. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>14</u> Motion to Appear Pro Hac Vice of Kalikoonalani D. Fernandes. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>15</u> Motion to Appear Pro Hac Vice of Leah Brown. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) Modified Text on 1/29/2025 (Hill, Cherelle). (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>16</u> Motion to Appear Pro Hac Vice of Linus Banghart–Linn. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>17</u> Motion to Appear Pro Hac Vice of Michael Kenneth Skold. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>18</u> Motion to Appear Pro Hac Vice of Molly Thomas–Jensen. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>19</u> Motion to Appear Pro Hac Vice of Shannon Stevenson. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025	<u>27</u>	CORRECTED COMPLAINT, filed by State of Vermont, State of Arizona, State of California, State of Nevada, State of New York, State of North Carolina, State of Minnesota, State of Maryland, State of Oregon, State of Delaware, District of Columbia, State of Washington, State of Maine, State of Wisconsin, Commonwealth of Massachusetts, State of Illinois, State of Connecticut, State of Hawaii, State of Michigan, State of Colorado, State of Rhode Island, State of New Mexico, State of

		New Jersey. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet)(Rice, Sarah) Modified on 1/29/2025 to correct docket text. (Simoncelli, Michael). (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>20</u> Motion to Appear Pro Hac Vice of Zoe Levine. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>21</u> Motion to Appear Pro Hac Vice of Katherine Dirks. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025	<u>28</u>	EXHIBIT IN SUPPORT by All Plaintiffs in support of <u>3</u> MOTION for Temporary Restraining Order <i>Corrected Exhibit 3-1</i> . (Rice, Sarah) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>22</u> Motion to Appear Pro Hac Vice of Angela Cai. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>23</u> Motion to Appear Pro Hac Vice of Shankar Duraiswamy. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>24</u> Motion to Appear Pro Hac Vice of Jeremy Feigenbaum. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>25</u> Motion to Appear Pro Hac Vice of Jason Anton. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>4</u> Motion to Appear Pro Hac Vice of Aaron Bibb. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025	<u>29</u>	MOTION for Christine Chuang to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093054 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>30</u>	MOTION for Laura L. Faer to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093056 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>29</u> Motion to Appear Pro Hac Vice of Christine Chuang. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>30</u> Motion to Appear Pro Hac Vice of Laura Faer. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025	<u>31</u>	MOTION for Heidi Parry Stern to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093071 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>32</u>	MOTION for Elizabeth Kramer to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093081 ) filed by State of Rhode Island. (Giarrano,

		Leonard) (Entered: 01/29/2025)
01/29/2025	<u>33</u>	MOTION for Adam D. Kirschner to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093082 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>34</u>	MOTION for Carly J. Munson to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number BRIDC-2093085 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>35</u>	MOTION for Christopher J. Kissel to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093089 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>36</u>	MOTION for Kenneth J. Sugarman to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093091 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>37</u>	MOTION for Lara Haddad to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093096 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>38</u>	MOTION for Nicholas R. Green to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093097 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>31</u> Motion to Appear Pro Hac Vice of Heidi Parry Stern. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>32</u> Motion to Appear Pro Hac Vice of Elizabeth Kramer. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025	<u>39</u>	NOTICE of Appearance by Daniel Schwei on behalf of All Defendants (Schwei, Daniel) (Entered: 01/29/2025)
01/29/2025	<u>40</u>	MOTION for Rabia Muqaddam to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093108 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>41</u>	MOTION for Neil Giovanatti to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093110 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>42</u>	MOTION for Vanessa L. Kassab to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093113 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/29/2025	<u>43</u>	NOTICE by Donald Trump, U.S. Office of Management and Budget, Matthew Vaeth, U.S. Department of the Treasury, Scott Bessent, Patricia Collins, U.S. Department of Health and Human Services, Dorothy A Fink, U.S. Department of Education, Denise Carter, U.S. Federal Emergency Management Agency, Cameron Hamilton, U.S. Department of Transportation, Judith Kaleta, U.S. Department of Labor, Vince Micone, U.S. Department of Energy, Ingrid Kolb, U.S. Environmental Protection Agency, James Payne, U.S. Department of Homeland Security, Kristi Noem, U.S.

		Department of Justice, James R McHenry, III, The National Science Foundation, Sethuraman Panchanathan re <u>3</u> MOTION for Temporary Restraining Order of <i>Factual Developments</i> (Attachments: # <u>1</u> Exhibit OMB Mem M-25-14, Rescission of M-25-13 (Jan. 28, 2025))(Schwei, Daniel) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>33</u> Motion to Appear Pro Hac Vice of Adam Kirschner. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>34</u> Motion to Appear Pro Hac Vice of Carly J. Munson. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>35</u> Motion to Appear Pro Hac Vice of Christopher J. Kissel. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>36</u> Motion to Appear Pro Hac Vice of Kenneth J. Sugarman. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>37</u> Motion to Appear Pro Hac Vice of Lara Haddad. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>38</u> Motion to Appear Pro Hac Vice of Nicholas R. Green. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>40</u> Motion to Appear Pro Hac Vice of Rabia Muqaddam. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>41</u> Motion to Appear Pro Hac Vice of Neil Giovanatti. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		TEXT ORDER granting <u>42</u> Motion to Appear Pro Hac Vice of Vanessa L. Kassab. So Ordered by Chief Judge John J. McConnell, Jr. on 1/29/2025. (Hill, Cherelle) (Entered: 01/29/2025)
01/29/2025		Minute Entry for proceedings held before Chief Judge John J. McConnell, Jr.: Motion Hearing via Zoom held on 1/29/2025 re: <u>3</u> MOTION for Temporary Restraining Order filed by State of New York, et al. Counsel present: S. Rice, K. Sabatini; M. Thomas-Jensen, R. Muqaddam; A. Hemmer; C. Chuang, L. Faer; K. Dirks; D. Schwei. Court addresses withdrawal of the OMD memo; Plaintiffs (Rice) responds. Court questions Plaintiffs. One exhibit admitted as evidence. Defendants (Schwei) argues; Court questions Defendants. Plaintiffs (Rice) give reply argument. Court orders Plaintiffs/States to prepare a proposed order and share it with Defendants before submitting to the Court. Upon submission to the Court (via email to Case Manager), the Defendants will have 24-hours to response to the proposed order by letter-brief. Court will then consider the proposed order and response and schedule a conference if necessary. Adjourned. (Court Reporter Denise Webb in Courtroom Remote via Zoom Videoconference at 3:00 PM.) (Jackson, Ryan) (Entered: 01/29/2025)

01/29/2025	<u>44</u>	Exhibit List for 1/29/25 Motion Hearing on TRO before Chief Judge McConnell. (Jackson, Ryan) (Entered: 01/29/2025)
01/29/2025	<u>45</u>	MOTION for Anjana Samant to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2093253 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 01/29/2025)
01/30/2025		TEXT ORDER granting <u>45</u> Motion to Appear Pro Hac Vice of Anjana Samant. So Ordered by Chief Judge John J. McConnell, Jr. on 1/30/2025. (Hill, Cherelle) (Entered: 01/30/2025)
01/30/2025	<u>46</u>	DOCKET NOTE: Proposed Temporary Restraining Order filed by State of NY, et al. Received by the Court at 6:15 PM on 1/29/25. (Jackson, Ryan) (Entered: 01/30/2025)
01/30/2025	<u>47</u>	MOTION for Leave to File Amicus Brief filed by Freedom Cheteni. <b>Responses due by 2/13/2025.</b> (Attachments: # <u>1</u> Proposed Amicus, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit)(Simoncelli, Michael) (Entered: 01/30/2025)
01/30/2025		TEXT ORDER denying <u>47</u> Motion for Leave to File Amicus Brief. So Ordered by Chief Judge John J. McConnell, Jr. on 1/30/2025. (Jackson, Ryan) (Entered: 01/30/2025)
01/30/2025	<u>48</u>	MOTION Motion to Supplement Record re: <u>3</u> MOTION for Temporary Restraining Order filed by All Plaintiffs. <b>Responses due by 2/13/2025.</b> (Attachments: # <u>1</u> Exhibit Sugarman Decl. and Exhibits)(Rice, Sarah) (Entered: 01/30/2025)
01/30/2025	<u>49</u>	RESPONSE In Opposition to <u>3</u> MOTION for Temporary Restraining Order filed by All Defendants. <b>Replies due by 2/6/2025.</b> (Attachments: # <u>1</u> Exhibit OMB Guidance (Jan. 28, 2025))(Schwei, Daniel) (Entered: 01/30/2025)
01/31/2025		TEXT ORDER granting <u>48</u> MOTION to Supplement Record re: <u>3</u> MOTION for Temporary Restraining Order. So Ordered by Chief Judge John J. McConnell, Jr. on 1/31/2025. (Jackson, Ryan) (Entered: 01/31/2025)
01/31/2025	<u>50</u>	TEMPORARY RESTRAINING ORDER granting <u>3</u> Motion for TRO. So Ordered by Chief Judge John J. McConnell, Jr. on 1/31/2025. (Jackson, Ryan) (Entered: 01/31/2025)
02/03/2025	<u>51</u>	NOTICE by Donald Trump, U.S. Office of Management and Budget, Matthew Vaeth, U.S. Department of the Treasury, Scott Bessent, Patricia Collins, U.S. Department of Health and Human Services, Dorothy A Fink, U.S. Department of Education, Denise Carter, U.S. Federal Emergency Management Agency, Cameron Hamilton, U.S. Department of Transportation, Judith Kaleta, U.S. Department of Labor, Vince Micone, U.S. Department of Energy, Ingrid Kolb, U.S. Environmental Protection Agency, James Payne, U.S. Department of Homeland Security, Kristi Noem, U.S. Department of Justice, James R McHenry, III, The National Science Foundation, Sethuraman Panchanathan re <u>50</u> Order on Motion for TRO (Attachments: # <u>1</u> Exhibit Written Notice of Court Order)(Schwei, Daniel) (Entered: 02/03/2025)
02/03/2025	<u>52</u>	NOTICE of Appearance by Eitan Sirkovich on behalf of All Defendants (Sirkovich, Eitan) (Entered: 02/03/2025)
02/03/2025		TEXT ORDER: Plaintiffs' Motion for Preliminary Injunction and Memorandum in Support is due on or before Friday 2/7/2025; Defendants' Opposition and Memorandum is due on or before Wednesday 2/12/25; Plaintiffs' Reply is due two



		days after the filing of the Defendants' opposition. So Ordered by Chief Judge John J. McConnell, Jr. on 2/3/2025. (Jackson, Ryan) (Entered: 02/03/2025)
02/03/2025	<u>53</u>	NOTICE of Appearance by Andrew Freidah on behalf of All Defendants (Freidah, Andrew) (Entered: 02/03/2025)
02/04/2025	<u>54</u>	MOTION for Turner Helen Smith to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2095192 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/04/2025)
02/04/2025	<u>55</u>	MOTION for Anna Lumelsky to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2095198 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/04/2025)
02/04/2025	<u>56</u>	MOTION for Michael Joseph Myers to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2095201 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/04/2025)
02/04/2025		TEXT ORDER granting <u>54</u> Motion to Appear Pro Hac Vice of Turner Helen Smith. So Ordered by Chief Judge John J. McConnell, Jr. on 2/4/2025. (Gonzalez Gomez, Viviana) (Entered: 02/04/2025)
02/04/2025		TEXT ORDER granting <u>55</u> Motion to Appear Pro Hac Vice of Anna Lumelsky. So Ordered by Chief Judge John J. McConnell, Jr. on 2/4/2025. (Gonzalez Gomez, Viviana) (Entered: 02/04/2025)
02/04/2025		TEXT ORDER granting <u>56</u> Motion to Appear Pro Hac Vice of Michael Joseph Myers. So Ordered by Chief Judge John J. McConnell, Jr. on 2/4/2025. (Gonzalez Gomez, Viviana) (Entered: 02/04/2025)
02/04/2025		NOTICE of CONFERENCE: Chambers Conference via Zoom <b><i>scheduled for Thursday 2/6/2025 at 9:30 AM as a Remote Conference</i></b> before Chief Judge John J. McConnell, Jr. This conference is for <u>COUNSEL ONLY</u> and Zoom Meeting information has been provided to counsel under separate cover. THIS IS NOT A PUBLIC HEARING. (Jackson, Ryan) (Entered: 02/04/2025)
02/04/2025	<u>57</u>	MOTION for Marie E. Logan to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2095272 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/04/2025)
02/04/2025	<u>58</u>	MOTION for Theodore McCombs to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2095275 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/04/2025)
02/04/2025		TEXT ORDER granting <u>57</u> Motion to Appear Pro Hac Vice of Marie E. Logan. So Ordered by Chief Judge John J. McConnell, Jr. on 2/4/2025. (Hill, Cherelle) (Entered: 02/04/2025)
02/04/2025		TEXT ORDER granting <u>58</u> Motion to Appear Pro Hac Vice of Theodore McCombs. So Ordered by Chief Judge John J. McConnell, Jr. on 2/4/2025. (Hill, Cherelle) (Entered: 02/04/2025)
02/04/2025	<u>59</u>	NOTICE of Appearance by Turner Helen Smith on behalf of Commonwealth of Massachusetts (Smith, Turner) (Entered: 02/04/2025)
02/04/2025	<u>60</u>	MOTION to Intervene filed by Arthur West. <b>Responses due by 2/18/2025.</b> (Attachments: # <u>1</u> DESCHUTES ESTUARY GRANT INFORMATION, # <u>2</u> NEPA

		NOV 25 As filed, # <u>3</u> NEPA NOV 25 EXHIBITS, # <u>4</u> WEST V. REED MISREPRESENTATION OF INJUNCTION, # <u>5</u> Email)(Hill, Cherelle) (Entered: 02/04/2025)
02/04/2025	<u>61</u>	NOTICE of Appearance by Anna Esther Lumelsky on behalf of Commonwealth of Massachusetts (Lumelsky, Anna) (Entered: 02/04/2025)
02/05/2025		Reset Hearings re: Notice of Public Chambers Conference via Zoom <b><i>scheduled for Thursday 2/6/2025 at 9:30 AM as a Remote Conference</i></b> before Chief Judge John J. McConnell, Jr. This conference will now be available for public viewing via the Court's YouTube channel; information on connecting to the conference is available on the Court's website. Counsel are still directed to connect to the conference via Zoom with the meeting invitation previously sent to counsel via email. (Jackson, Ryan) (Entered: 02/05/2025)
02/05/2025	<u>62</u>	MOTION for Nathan T. Arrowsmith to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2096068 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/05/2025)
02/06/2025		TEXT ORDER granting <u>62</u> Motion to Appear Pro Hac Vice of Nathan T. Arrowsmith. So Ordered by Chief Judge John J. McConnell, Jr. on 2/6/2025. (Hill, Cherelle) (Entered: 02/06/2025)
02/06/2025		Minute Entry for proceedings held before Chief Judge John J. McConnell, Jr.: Chambers Conference via Zoom held on 2/6/2025. Counsel present: S. Rice, K. Sabatini, L. Giarrano; R. Muqaddam, M. Thomas-Jensen, C. Faherty; L. Faer, T. McCombs; K. Dirks; D. Schwei, E. Sirkovich. (Jackson, Ryan) (Entered: 02/06/2025)
02/06/2025		TEXT ORDER: The Court extends the <u>50</u> TEMPORARY RESTRAINING ORDER for good cause including the complexity of the issues involved, the number of parties, and the need to maintain the status quo while this matter is being expeditiously litigated – until the Court enters an order on the Plaintiffs' Motion for Preliminary Injunction. So Ordered by Chief Judge John J. McConnell, Jr. on 2/6/2025. (Jackson, Ryan) (Entered: 02/06/2025)
02/06/2025	<u>63</u>	TRANSCRIPT ORDER for proceedings held on Jan. 29, 2025 before Judge Chief Judge McConnell. <b>Daily Transcript selected.</b> Transcript to be delivered following adjournment and prior to the normal opening hour of court on the following morning.. (Schwei, Daniel) (Entered: 02/06/2025)
02/06/2025	<u>64</u>	MOTION for Jill Lacedonia to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2096517 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/06/2025)
02/07/2025		TEXT ORDER granting <u>64</u> Motion to Appear Pro Hac Vice of Jill Lacedonia. So Ordered by Chief Judge John J. McConnell, Jr. on 2/7/2025. (Hill, Cherelle) (Entered: 02/07/2025)
02/07/2025	<u>65</u>	TRANSCRIPT ORDER ACKNOWLEDGMENT Entered re: <u>63</u> Transcript Order,. Daily Transcript Ordered. Court Reporter/Transcriber: Denise Webb. (Dias, Jennifer) (Entered: 02/07/2025)
02/07/2025	<u>66</u>	Emergency MOTION to Enforce re: <u>50</u> Order on Motion for TRO filed by All Plaintiffs. <b>Responses due by 2/21/2025.</b> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Rice, Sarah) (Entered: 02/07/2025)

02/07/2025	<u>67</u>	MOTION for Preliminary Injunction filed by All Plaintiffs. <b>Responses due by 2/21/2025.</b> (Thomas-Jensen, Molly) (Entered: 02/07/2025)
02/07/2025		TEXT ORDER: Defendants are hereby ORDERED to Respond to Plaintiffs' <u>66</u> Emergency MOTION to Enforce re: <u>50</u> Order on Motion for TRO <i>by this Sunday, 2/9/2025</i> . So Ordered by Chief Judge John J. McConnell, Jr. on 2/7/2025. (Jackson, Ryan) (Entered: 02/07/2025)
02/07/2025	<u>68</u>	DECLARATION re <u>67</u> MOTION for Preliminary Injunction by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36, # <u>37</u> Exhibit 37, # <u>38</u> Exhibit 38, # <u>39</u> Exhibit 39, # <u>40</u> Exhibit 40, # <u>41</u> Exhibit 41, # <u>42</u> Exhibit 42, # <u>43</u> Exhibit 43, # <u>44</u> Exhibit 44, # <u>45</u> Exhibit 45, # <u>46</u> Exhibit 46, # <u>47</u> Exhibit 47, # <u>48</u> Exhibit 48, # <u>49</u> Exhibit 49, # <u>50</u> Exhibit 50, # <u>51</u> Exhibit 51, # <u>52</u> Exhibit 52, # <u>53</u> Exhibit 53, # <u>54</u> Exhibit 54, # <u>55</u> Exhibit 55, # <u>56</u> Exhibit 56, # <u>57</u> Exhibit 57, # <u>58</u> Exhibit 58, # <u>59</u> Exhibit 59, # <u>60</u> Exhibit 60, # <u>61</u> Exhibit 61, # <u>62</u> Exhibit 62, # <u>63</u> Exhibit 63, # <u>64</u> Exhibit 64, # <u>65</u> Exhibit 65, # <u>66</u> Exhibit 66, # <u>67</u> Exhibit 67, # <u>68</u> Exhibit 68, # <u>69</u> Exhibit 69, # <u>70</u> Exhibit 70, # <u>71</u> Exhibit 71, # <u>72</u> Exhibit 72, # <u>73</u> Exhibit 73, # <u>74</u> Exhibit 74, # <u>75</u> Exhibit 75, # <u>76</u> Exhibit 76, # <u>77</u> Exhibit 77, # <u>78</u> Exhibit 78, # <u>79</u> Exhibit 79, # <u>80</u> Exhibit 80, # <u>81</u> Exhibit 81, # <u>82</u> Exhibit 82, # <u>83</u> Exhibit 83, # <u>84</u> Exhibit 84, # <u>85</u> Exhibit 85, # <u>86</u> Exhibit 86, # <u>87</u> Exhibit 87, # <u>88</u> Exhibit 88, # <u>89</u> Exhibit 89, # <u>90</u> Exhibit 90, # <u>91</u> Exhibit 91, # <u>92</u> Exhibit 92, # <u>93</u> Exhibit 93, # <u>94</u> Exhibit 94, # <u>95</u> Exhibit 95, # <u>96</u> Exhibit 96, # <u>97</u> Exhibit 97, # <u>98</u> Exhibit 98, # <u>99</u> Exhibit 99, # <u>100</u> Exhibit 100, # <u>101</u> Exhibit 101, # <u>102</u> Exhibit 102, # <u>103</u> Exhibit 103, # <u>104</u> Exhibit 104, # <u>105</u> Exhibit 105, # <u>106</u> Exhibit 106, # <u>107</u> Exhibit 107, # <u>108</u> Exhibit 108, # <u>109</u> Exhibit 109, # <u>110</u> Exhibit 110, # <u>111</u> Exhibit 111, # <u>112</u> Exhibit 112, # <u>113</u> Exhibit 113, # <u>114</u> Exhibit 114, # <u>115</u> Exhibit 115, # <u>116</u> Exhibit 116, # <u>117</u> Exhibit 117, # <u>118</u> Exhibit 118, # <u>119</u> Exhibit 119, # <u>120</u> Exhibit 120, # <u>121</u> Exhibit 121, # <u>122</u> Exhibit 122, # <u>123</u> Exhibit 123, # <u>124</u> Exhibit 124, # <u>125</u> Exhibit 125, # <u>126</u> Exhibit 126, # <u>127</u> Exhibit 127)(Thomas-Jensen, Molly) <b>CLERK'S NOTE: PDF error in original Exhibit 83, corrected version filed at ECF No. <u>101</u> . Docket text modified on 2/11/2025.</b> (Gonzalez Gomez, Viviana) (Entered: 02/07/2025)
02/07/2025	<u>69</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/07/2025)
02/09/2025	<u>70</u>	RESPONSE In Opposition to <u>66</u> Emergency MOTION <i>to Enforce</i> re: <u>50</u> Order on Motion for TRO filed by All Defendants. <b>Replies due by 2/18/2025.</b> (Schwei, Daniel) (Entered: 02/09/2025)
02/10/2025		TEXT ORDER denying <u>60</u> Motion to Intervene. So Ordered by Chief Judge John J. McConnell, Jr. on 2/10/2025. (Jackson, Ryan) (Entered: 02/10/2025)
02/10/2025	<u>71</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>72</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)



02/10/2025	<u>73</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>74</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>75</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>76</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>77</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>78</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>79</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>80</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>81</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>82</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>83</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>84</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>85</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>86</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>87</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>88</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>89</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>90</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>91</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>92</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)

		02/10/2025)
02/10/2025	<u>93</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>94</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>95</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/10/2025)
02/10/2025	<u>96</u>	ORDER granting <u>66</u> Emergency MOTION to Enforce <u>50</u> Order on Motion for TRO. So Ordered by Chief Judge John J. McConnell, Jr. on 2/10/2025. (Jackson, Ryan) (Entered: 02/10/2025)
02/10/2025	<u>97</u>	Summons Issued as to Scott Bessent, Denise Carter, Patricia Collins, Dorothy A Fink, Cameron Hamilton, Judith Kaleta, Ingrid Kolb, James R McHenry, III, Vince Micone, Kristi Noem, Sethuraman Panchanathan, James Payne, The National Science Foundation, Donald Trump, U.S. Department of Education, U.S. Department of Energy, U.S. Department of Health and Human Services, U.S. Department of Homeland Security, U.S. Department of Justice, U.S. Department of Labor, U.S. Department of Transportation, U.S. Department of the Treasury, U.S. Environmental Protection Agency, U.S. Federal Emergency Management Agency, U.S. Office of Management and Budget, Matthew Vaeth. (Attachments: # <u>1</u> Summons Issued as to D. Carter, # <u>2</u> Summons Issued as to U.S. Department of Education, # <u>3</u> Summons Issued as to U.S. Department of Energy, # <u>4</u> Summons Issued as to U.S. Department of Labor, # <u>5</u> Summons Issued as to U.S. Department of Justice, # <u>6</u> Summons Issued as to D. Trump, # <u>7</u> Summons Issued as to D. Fink, # <u>8</u> Summons Issued as to U.S. Department of Transportation, # <u>9</u> Summons Issued as to U.S. Environmental Protection Agency, # <u>10</u> Summons Issued as to U.S. Federal Emergency Management Agency, # <u>11</u> Summons Issued as to U.S. Department of Health and Human Services, # <u>12</u> Summons Issued as to U.S. Department of Homeland Security, # <u>13</u> Summons Issued as to I. Kolb, # <u>14</u> Summons Issued as to J. Payne, # <u>15</u> Summons Issued as to J. McHenry, # <u>16</u> Summons Issued as to J. Kaleta, # <u>17</u> Summons Issued as to K. Noem, # <u>18</u> Summons Issued as to M. Vaeth, # <u>19</u> Summons Issued as to The National Science Foundation, # <u>20</u> Summons Issued as to U.S. Office of Management and Budget, # <u>21</u> Summons Issued as to Collins, # <u>22</u> Summons Issued as to S. Bessent, # <u>23</u> Summons Issued as to S. Panchanathan, # <u>24</u> Summons Issued as to U.S. Department of Treasury, # <u>25</u> Summons Issued as to V. Micone) (Gonzalez Gomez, Viviana) (Entered: 02/10/2025)
02/10/2025	<u>98</u>	NOTICE OF APPEAL by Donald Trump, U.S. Office of Management and Budget, Matthew Vaeth, U.S. Department of the Treasury, Scott Bessent, Patricia Collins, U.S. Department of Health and Human Services, Dorothy A Fink, U.S. Department of Education, Denise Carter, U.S. Federal Emergency Management Agency, Cameron Hamilton, U.S. Department of Transportation, Judith Kaleta, U.S. Department of Labor, Vince Micone, U.S. Department of Energy, Ingrid Kolb, U.S. Environmental Protection Agency, James Payne, U.S. Department of Homeland Security, Kristi Noem, U.S. Department of Justice, James R McHenry, III, The National Science Foundation, Sethuraman Panchanathan as to <u>50</u> Order on Motion for TRO, <u>96</u> Order on Motion for Miscellaneous Relief (No fee paid, USA, Waived by Statute, or IFP.)  <b>NOTICE TO COUNSEL: Counsel should register for a First Circuit CM/ECF Appellate Filer Account at <a href="http://pacer.psc.uscourts.gov/cmecf/">http://pacer.psc.uscourts.gov/cmecf/</a>. Counsel should</b>

		<b>also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at <a href="http://www.ca1.uscourts.gov/cmecf">http://www.ca1.uscourts.gov/cmecf</a></b> Appeal Record due by 2/18/2025. (Schwei, Daniel) (Entered: 02/10/2025)
02/10/2025	<u>99</u>	CLERK'S CERTIFICATE AND APPELLATE COVER SHEET: Abbreviated record on appeal consisting of notice of appeal, order(s) being appealed, and a copy of the district court docket report transmitted to the U.S. Court of Appeals for the First Circuit in accordance with 1st Cir. R. 11.0(b) re: <u>98</u> Notice of Appeal. Documents Sent: 50, 96. (Attachments: # <u>1</u> Record on Appeal) (Gonzalez Gomez, Viviana) (Entered: 02/10/2025)
02/10/2025	<u>100</u>	MOTION to Stay re <u>50</u> Order on Motion for TRO, <u>96</u> Order on Motion for Miscellaneous Relief <i>Pending Appeal</i> filed by All Defendants. <b>Responses due by 2/24/2025.</b> (Schwei, Daniel) (Entered: 02/10/2025)
02/11/2025		USCA Case Number 25–1138 for <u>98</u> Notice of Appeal, filed by U.S. Department of Energy, Scott Bessent, U.S. Department of Labor, U.S. Environmental Protection Agency, U.S. Federal Emergency Management Agency, U.S. Department of Health and Human Services, Sethuraman Panchanathan, The National Science Foundation, U.S. Department of the Treasury, U.S. Department of Homeland Security, Judith Kaleta, Donald Trump, Vince Micone, Patricia Collins, U.S. Department of Transportation, U.S. Office of Management and Budget, U.S. Department of Education, Kristi Noem, U.S. Department of Justice, James R McHenry, III, Ingrid Kolb, Dorothy A Fink, James Payne, Denise Carter, Matthew Vaeth, Cameron Hamilton. (Hill, Cherelle) (Entered: 02/11/2025)
02/11/2025	<u>101</u>	<i>Corrected</i> DECLARATION re: <u>68</u> Declaration – Exhibit 83 by All Plaintiffs. (Giarrano, Leonard) <b>CLERK'S NOTE:</b> Docket text modified on 2/11/2025 to tie to prior filing. (Gonzalez Gomez, Viviana) (Entered: 02/11/2025)
02/11/2025		TEXT ORDER: Plaintiffs State of NY, et al. shall have until <b>10 AM Wednesday 2/12/2025</b> to file a response to <u>100</u> MOTION to Stay re: <u>50</u> Order on Motion for TRO, <u>96</u> Order on Motion for Miscellaneous Relief <i>Pending Appeal</i> filed by Donald Trump, et al. So Ordered by Chief Judge John J. McConnell, Jr. on 2/11/2025. (Jackson, Ryan) (Entered: 02/11/2025)
02/11/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Russell Vought has been substituted for Matthew Vaeth as Director of the Office of Management and Budget in this action. So Ordered by Chief Judge John J. McConnell, Jr. on 2/11/2025. (Simoncelli, Michael) (Entered: 02/11/2025)
02/11/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Sean P. Duffy has been substituted for Judith Kaleta as Secretary of the Department of Transportation in this action. So Ordered by Chief Judge John J. McConnell, Jr. on 2/11/2025. (Simoncelli, Michael) (Entered: 02/11/2025)
02/11/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Christopher Allen Wright has been substituted for Ingrid Kolb as Secretary of the Department of Energy in this action. So Ordered by Chief Judge John J. McConnell, Jr. on 2/11/2025. (Simoncelli, Michael) (Entered: 02/11/2025)
02/11/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Lee Michael Zeldin has been substituted for James Payne as Administrator of the Environmental Protection Agency in this action. So Ordered by Chief Judge John J. McConnell, Jr. on 2/11/2025. (Simoncelli, Michael) (Entered: 02/11/2025)

02/11/2025	<u>102</u>	Emergency MOTION <i>Requesting Ruling by 11am on February 12 for Permission to Continue Withholding FEMA and Other Funding</i> re: <u>50</u> Order on Motion for TRO, <u>96</u> Order on Motion for Miscellaneous Relief filed by All Defendants. <b>Responses due by 2/25/2025.</b> (Attachments: # <u>1</u> Exhibit FEMA Hamilton Declaration, # <u>2</u> Exhibit Hamilton Decl Exhibit 1, # <u>3</u> Exhibit Hamilton Decl Exhibit 2, # <u>4</u> Exhibit Hamilton Decl Exhibit 3)(Schwei, Daniel) (Entered: 02/11/2025)
02/11/2025	<u>103</u>	Supplemental MOTION <i>Requesting Permission to Continue Payment Review Processes</i> re: <u>102</u> Emergency MOTION <i>Requesting Ruling by 11am on February 12 for Permission to Continue Withholding FEMA and Other Funding</i> re: <u>50</u> Order on Motion for TRO, <u>96</u> Order on Motion for Miscellaneous Relief filed by All Defendants. <b>Responses due by 2/25/2025.</b> (Attachments: # <u>1</u> Exhibit PMS Bruce Declaration)(Schwei, Daniel) (Entered: 02/11/2025)
02/11/2025	<u>104</u>	RESPONSE In Opposition to <u>102</u> Emergency MOTION <i>Requesting Ruling by 11am on February 12 for Permission to Continue Withholding FEMA and Other Funding</i> re: <u>50</u> Order on Motion for TRO, <u>96</u> Order on Motion for Miscellaneous Relief, <u>103</u> Supplemental MOTION <i>Requesting Permission to Continue Payment Review Processes</i> re: <u>102</u> Emergency MOTION <i>Requesting Ruling by 11am on February 12 for Permission to Continue Withholding FEMA and Other Funding</i> re: <u>50</u> Order o filed by All Plaintiffs. <b>Replies due by 2/18/2025.</b> (Muqaddam, Rabia) (Entered: 02/11/2025)
02/11/2025	<u>105</u>	RESPONSE In Opposition to <u>100</u> MOTION to Stay re <u>50</u> Order on Motion for TRO, <u>96</u> Order on Motion for Miscellaneous Relief <i>Pending Appeal</i> filed by All Plaintiffs. <b>Replies due by 2/18/2025.</b> (Lumelsky, Anna) (Entered: 02/11/2025)
02/12/2025	<u>106</u>	ORDER of the U.S. Court of Appeals for the First Circuit entered as to <u>98</u> Notice of Appeal, filed by U.S. Department of Energy, Scott Bessent, U.S. Department of Labor, U.S. Environmental Protection Agency, U.S. Federal Emergency Management Agency, U.S. Department of Health and Human Services, Sethuraman Panchanathan, The National Science Foundation, U.S. Department of the Treasury, U.S. Department of Homeland Security, Judith Kaleta, Donald Trump, Vince Micone, Patricia Collins, U.S. Department of Transportation, U.S. Office of Management and Budget, U.S. Department of Education, Kristi Noem, U.S. Department of Justice, James R McHenry, III, Ingrid Kolb, Dorothy A Fink, James Payne, Denise Carter, Matthew Vaeth, Cameron Hamilton. [25-1138] (Gonzalez Gomez, Viviana) (Entered: 02/12/2025)
02/12/2025	<u>107</u>	ORDER denying <u>102</u> Emergency MOTION <i>Requesting Ruling by 11am on February 12 for Permission to Continue Withholding FEMA and Other Funding</i> ; and, denying as moot <u>103</u> Supplemental MOTION <i>Requesting Permission to Continue Payment Review Processes</i> . So Ordered by Chief Judge John J. McConnell, Jr. on 2/12/2025. (Jackson, Ryan) (Main Document 107 replaced on 2/12/2025: corrected typographical error) (Jackson, Ryan). (Entered: 02/12/2025)
02/12/2025	<u>108</u>	Supplemental Record on Appeal transmitted to U.S. Court of Appeals for the First Circuit re: <u>98</u> Notice of Appeal. Unrestricted Documents Sent: 107. (Attachments: # <u>1</u> Record on Appeal) (Gonzalez Gomez, Viviana) (Entered: 02/12/2025)
02/12/2025	<u>109</u>	MOTION for Leave to File Amicus Brief filed by Rubin Young. <b>Responses due by 2/26/2025.</b> (Simoncelli, Michael) (Entered: 02/12/2025)
02/12/2025		TEXT ORDER denying <u>109</u> Motion for Leave to File Amicus Brief. So Ordered by Chief Judge John J. McConnell, Jr. on 2/12/2025. (Simoncelli, Michael) (Entered: 02/12/2025)

		02/12/2025)
02/12/2025	<u>110</u>	MOTION for Leave to File Amicus Brief filed by American Center for Law and Justice. <b>Responses due by 2/26/2025.</b> (Attachments: # <u>1</u> Supporting Memorandum in Support of Defendants)(Bell, Brandon) (Entered: 02/12/2025)
02/12/2025	<u>111</u>	ORDER denying <u>100</u> Motion to Stay Pending Appeal. So Ordered by Chief Judge John J. McConnell, Jr. on 2/12/2025. (Jackson, Ryan) (Entered: 02/12/2025)
02/12/2025	<u>112</u>	Supplemental Record on Appeal transmitted to U.S. Court of Appeals for the First Circuit. <u>98</u> Notice of Appeal. Unrestricted Documents Sent: 111. (Attachments: # <u>1</u> Supplemental Record on Appeal)(Simoncelli, Michael) (Entered: 02/12/2025)
02/12/2025	<u>113</u>	RESPONSE In Opposition to <u>67</u> MOTION for Preliminary Injunction filed by All Defendants. <b>Replies due by 2/19/2025.</b> (Schwei, Daniel) (Entered: 02/12/2025)
02/13/2025	<u>114</u>	AMENDED COMPLAINT against All Defendants, filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit Exhibits A-I)(Smith, Turner) Modified on 2/13/2025 to correct docket text. (Simoncelli, Michael). (Entered: 02/13/2025)
02/13/2025		TEXT ORDER denying <u>110</u> Motion for Leave to File Amicus Brief. The Court is not accepting any amicus briefs in this case. The issues before the Court are legal questions, not political, and both sides of the dispute are well represented. So Ordered by Chief Judge John J. McConnell, Jr. on 2/13/2025. (Simoncelli, Michael) (Entered: 02/13/2025)
02/13/2025	<u>115</u>	MOTION for Robert Henry Weaver to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2099021 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/13/2025)
02/13/2025	<u>116</u>	MOTION for Laura Crittenden Tipton to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2099026 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/13/2025)
02/13/2025	<u>117</u>	MOTION for Steven Travis Mayo to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2099032 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/13/2025)
02/13/2025	<u>118</u>	MOTION for Taylor Payne to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2099034 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/13/2025)
02/13/2025		TEXT ORDER granting <u>115</u> Motion to Appear Pro Hac Vice of Robert Henry Weaver. So Ordered by Chief Judge John J. McConnell, Jr. on 2/13/2025. (Hill, Cherelle) (Entered: 02/13/2025)
02/13/2025		TEXT ORDER granting <u>116</u> Motion to Appear Pro Hac Vice of Laura Crittenden Tipton. So Ordered by Chief Judge John J. McConnell, Jr. on 2/13/2025. (Hill, Cherelle) (Entered: 02/13/2025)
02/13/2025		TEXT ORDER granting <u>117</u> Motion to Appear Pro Hac Vice of Steven Travis Mayo. So Ordered by Chief Judge John J. McConnell, Jr. on 2/13/2025. (Hill, Cherelle) (Entered: 02/13/2025)
02/13/2025		TEXT ORDER granting <u>118</u> Motion to Appear Pro Hac Vice of Taylor Payne. So Ordered by Chief Judge John J. McConnell, Jr. on 2/13/2025. (Hill, Cherelle) (Entered: 02/13/2025)



02/13/2025	<u>119</u>	MOTION for Chris Pappavaselio to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2099096 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/13/2025)
02/13/2025	<u>120</u>	MOTION for Julia E. Jonas-Day to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2099115 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/13/2025)
02/13/2025		NOTICE of Hearing on <u>67</u> MOTION for Preliminary Injunction: Motion Hearing (in person) <b><i>scheduled for Friday 2/21/2025 at 1:30 PM in Courtroom 1</i></b> before Chief Judge John J. McConnell, Jr.; a remote viewing option will be made available for the public and information on that will be available on the Court's website at <u>(Jackson, Ryan)</u> (Entered: 02/13/2025)
02/13/2025		TEXT ORDER granting <u>119</u> Motion to Appear Pro Hac Vice of Chris Pappavaselio. So Ordered by Chief Judge John J. McConnell, Jr. on 2/13/2025. (Hill, Cherelle) (Entered: 02/13/2025)
02/13/2025		TEXT ORDER granting <u>120</u> Motion to Appear Pro Hac Vice of Julia Jonas-Day. So Ordered by Chief Judge John J. McConnell, Jr. on 2/13/2025. (Hill, Cherelle) (Entered: 02/13/2025)
02/14/2025	<u>121</u>	JUDGMENT of the U.S. Court of Appeals for the First Circuit entered as to <u>98</u> Notice of Appeal, filed by U.S. Department of Energy, Scott Bessent, U.S. Department of Labor, U.S. Environmental Protection Agency, U.S. Federal Emergency Management Agency, U.S. Department of Health and Human Services, Sethuraman Panchanathan, The National Science Foundation, U.S. Department of the Treasury, U.S. Department of Homeland Security, Judith Kaleta, Donald Trump, Vince Micone, Patricia Collins, U.S. Department of Transportation, U.S. Office of Management and Budget, U.S. Department of Education, Kristi Noem, U.S. Department of Justice, James R McHenry, III, Ingrid Kolb, Dorothy A Fink, James Payne, Denise Carter, Matthew Vaeth, Cameron Hamilton. JUDGMENT entered voluntarily dismissed pursuant to Fed. R. App. P. 42(b)(2) with each party to bear its own costs. [25-1138] (Gonzalez Gomez, Viviana) (Entered: 02/14/2025)
02/14/2025		DOCKET NOTE: Received a duplicate copy of a MOTION for Leave to File Amicus Brief filed by Rubin Young ECF <u>109</u> (Hill, Cherelle) (Entered: 02/14/2025)
02/14/2025	<u>122</u>	MANDATE of the U.S. Court of Appeals for the First Circuit issued as to and in accordance with <u>98</u> Notice of Appeal, filed by U.S. Department of Energy, Scott Bessent, U.S. Department of Labor, U.S. Environmental Protection Agency, U.S. Federal Emergency Management Agency, U.S. Department of Health and Human Services, Sethuraman Panchanathan, The National Science Foundation, U.S. Department of the Treasury, U.S. Department of Homeland Security, Judith Kaleta, Donald Trump, Vince Micone, Patricia Collins, U.S. Department of Transportation, U.S. Office of Management and Budget, U.S. Department of Education, Kristi Noem, U.S. Department of Justice, James R McHenry, III, Ingrid Kolb, Dorothy A Fink, James Payne, Denise Carter, Matthew Vaeth, Cameron Hamilton. [25-1138] (Gonzalez Gomez, Viviana) (Entered: 02/14/2025)
02/14/2025	<u>123</u>	MOTION for Leave to File Amicus Brief filed by Cody R. Hart, Derrill J. Fussell. <b>Responses due by 2/28/2025.</b> (Attachments: # <u>1</u> Amici Curiae Brief, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Memorandum in Support, # <u>8</u> Declaration of Service, # <u>9</u> Envelope)(Hill, Cherelle) (Attachment 3 replaced on 2/14/2025) (Hill, Cherelle). (Attachment 4 replaced on 2/14/2025) (Hill, Cherelle).

		(Entered: 02/14/2025)
02/14/2025	<u>124</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>125</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>126</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>127</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>128</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>129</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>130</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>131</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>132</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>133</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>134</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>135</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>136</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>137</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>138</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>139</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>140</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>141</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>142</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)

02/14/2025	<u>143</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>144</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>145</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>146</u>	Summons Request filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/14/2025)
02/14/2025	<u>147</u>	REPLY to Response re <u>113</u> Response to Motion filed by All Plaintiffs. (Muqaddam, Rabia) (Entered: 02/14/2025)
02/18/2025		TEXT ORDER denying <u>123</u> Motion for Leave to File Amicus Brief: The Court is not accepting Amici briefs in this case both sides are adequately represented in this legal matter. So Ordered by Chief Judge John J. McConnell, Jr. on 2/18/2025. (Jackson, Ryan) (Entered: 02/18/2025)
02/18/2025	<u>148</u>	Summons Issued as to Jennifer Bastress Tahmasebi, Douglas Collins, Corporation for National and Community Service, Douglas Burgum, Gary Washington, Peter Hegseth, Michelle King, National Aeronautics and Space Administration, Jeremy Pelter, Janet Petro, Marco Rubio, Scott Turner, U.S. Agency for International Development, U.S. Department of Agriculture, U.S. Department of Commerce, U.S. Department of Defense, U.S. Department of Housing and Urban Development, U.S. Department of State, U.S. Department of Veterans Affairs, U.S. Department of the Interior, U.S. Small Business Administration, U.S. Social Security Administration, Everett Woodel. (Attachments: # <u>1</u> Summons Issued as to Corporation for National and Community Service, # <u>2</u> Summons Issued as to U.S. Department of Commerce, # <u>3</u> Summons Issued as to D. Collins, # <u>4</u> Summons Issued as to U.S. Department of Defense, # <u>5</u> Summons Issued as to U.S. Department of the Interior, # <u>6</u> Summons Issued as to U.S. Department of Veterans Affairs, # <u>7</u> Summons Issued as to P. Hegseth, # <u>8</u> Summons Issued as to U.S. Department of Housing and Urban Development, # <u>9</u> Summons Issued as to M. King, # <u>10</u> Summons Issued as to N.A.S.A., # <u>11</u> Summons Issued as to J. Pelter, # <u>12</u> Summons Issued as to J. Petro, # <u>13</u> Summons Issued as to M. Rubio, # <u>14</u> Summons Issued as to U.S. Small Business Administration, # <u>15</u> Summons Issued as to U.S. Social Security Administration, # <u>16</u> Summons Issued as to U.S. Department of State, # <u>17</u> Summons Issued as to J. Bastress Tahmasebi, # <u>18</u> Summons Issued as to S. Turner, # <u>19</u> Summons Issued as to U.S. Agency for International Development, # <u>20</u> Summons Issued as to U.S. Department of Agriculture, # <u>21</u> Summons Issued as to G. Washington, # <u>22</u> Summons Issued as to E. Woodel) (Gonzalez Gomez, Viviana) (Entered: 02/18/2025)
02/19/2025	<u>149</u>	MOTION for Vanessa A. Arslanian to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2100707 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/19/2025)
02/19/2025	<u>150</u>	MOTION for Nathaniel James Hyman to Appear Pro Hac Vice ( filing fee paid \$ 100.00, receipt number ARIDC-2100708 ) filed by State of Rhode Island. (Giarrano, Leonard) (Entered: 02/19/2025)
02/19/2025		TEXT ORDER: For Friday's hearing (2/21/2025) on the Preliminary Injunction motion (ECF No. 67), the following schedule will be followed: Plaintiffs shall have up to one hour for presentation, Defendants will then have up to one hour for



		presentation, and then Plaintiffs will have up to 15 minutes for rebuttal. The hearing will begin at 1:30 p.m. EST and the Court will take a break from 3:30 p.m. to 3:45 p.m. EST. So Ordered by Chief Judge John J. McConnell, Jr. on 2/19/2025. (Jackson, Ryan) (Entered: 02/19/2025)
02/19/2025		TEXT ORDER granting <u>149</u> Motion to Appear Pro Hac Vice of Vanessa A. Arslanian. So Ordered by Chief Judge John J. McConnell, Jr. on 2/19/2025. (Hill, Cherelle) (Entered: 02/19/2025)
02/19/2025		TEXT ORDER granting <u>150</u> Motion to Appear Pro Hac Vice of Nathaniel James Hyman. So Ordered by Chief Judge John J. McConnell, Jr. on 2/19/2025. (Hill, Cherelle) (Entered: 02/19/2025)
02/20/2025	<u>151</u>	MOTION for Reconsideration re Order on Motion to Intervene ( <i>ECF 60</i> ), MOTION for Leave to File Amicus Brief filed by Arthur West. <b>Responses due by 3/6/2025.</b> (Attachments: # <u>1</u> Exhibit – Governor Josh Green, M.D. Office of the Governor – News Release, # <u>2</u> Exhibit – Washington State Office of the Attorney General – Statement, # <u>3</u> Exhibit – FAA–2024–2006 SpaceX Revised EA Public Comment, # <u>4</u> Exhibit – Order Denying Intervention and Granting Amicus Status in CVH 2023 0069, # <u>5</u> Exhibit – National League of Legislatures Motion, # <u>6</u> Exhibit – Senate Bill Report SB 5436 Law OC 25, # <u>7</u> Email)(Gonzalez Gomez, Viviana) (Entered: 02/20/2025)
02/20/2025	<u>152</u>	NOTICE of Appearance by Heidi Parry Stern on behalf of State of Nevada (Stern, Heidi) (Entered: 02/20/2025)
02/21/2025		TEXT ORDER denying <u>151</u> Motion for Reconsideration ; denying <u>151</u> Motion for Leave to File Amicus Brief: The Court is not accepting amici in this case; the issues and parties are well represented. So Ordered by Chief Judge John J. McConnell, Jr. on 2/21/2025. (Jackson, Ryan) (Entered: 02/21/2025)
02/21/2025		Minute Entry for proceedings held before Chief Judge John J. McConnell, Jr.: Motion Hearing held on 2/21/2025 re: <u>67</u> MOTION for Preliminary Injunction filed by State of NY, et al. Counsel present and arguing: S. Rice, R. Muqaddam; D. Schwei. Other counsel present: K. Sabatini; L. Faer and C. Chuang (via Zoom); M. Thomas–Jensen; A. Hemmer; T. McCombs; T. Smith; M. Myers; L. Giarrano; V. Arslanian; K. Dirks. States/Plaintiffs (S. Rice) argue its Motion for Preliminary Injunction. Court questions counsel throughout. States/Plaintiffs (R. Muqaddam) continue their argument and are further questioned by the Court. Defendants (Schwei) argue their objection to the Motion; Court questions counsel throughout. States/Plaintiffs (S. Rice) makes brief Reply argument. Court reiterates that the previously entered TRO is still in full force and effect. Court takes the Motion for Preliminary Injunction under advisement. Adjourned. (Court Reporter Denise Webb in Courtroom 1 at 1:30 PM) (Jackson, Ryan) Modified Text on 2/24/2025 (Hill, Cherelle). (Entered: 02/21/2025)
02/23/2025	<u>153</u>	TRANSCRIPT ORDER for proceedings held on 2/21/2025 before Judge Chief Judge McConnell. <b>Daily Transcript selected.</b> Transcript to be delivered following adjournment and prior to the normal opening hour of court on the following morning.. (Schwei, Daniel) (Entered: 02/23/2025)
02/24/2025	<u>154</u>	MOTION for Leave to File Amicus Brief filed by Anne Armstrong. <b>Responses due by 3/10/2025.</b> (Attachments: # <u>1</u> Proposed Amicus Brief, # <u>2</u> Email)(Gonzalez Gomez, Viviana) (Entered: 02/24/2025)
02/24/2025	<u>155</u>	

		TRANSCRIPT ORDER ACKNOWLEDGMENT Entered re: <u>153</u> Transcript Order,. Daily Transcript Ordered. Court Reporter/Transcriber: Denise Webb. (Dias, Jennifer) (Entered: 02/24/2025)
02/24/2025		TEXT ORDER denying <u>154</u> Motion for Leave to File Amicus Brief filed by Anne Armstrong: The Court is not accepting any amicus briefs in this matter. So Ordered by Chief Judge John J. McConnell, Jr. on 2/24/2025. (Jackson, Ryan) (Entered: 02/24/2025)
02/24/2025	<u>156</u>	TRANSCRIPT ORDER for proceedings held on 2/21/2025 before Judge Chief Judge John J. McConnell, Jr.. <b>Daily Transcript selected.</b> Transcript to be delivered following adjournment and prior to the normal opening hour of court on the following morning.. (Giarrano, Leonard) (Entered: 02/24/2025)
02/25/2025	<u>157</u>	TRANSCRIPT ORDER for proceedings held on 02/21/2025 before Chief Judge John J. McConnell, Jr. <b>Daily Transcript selected.</b> Transcript to be delivered following adjournment and prior to the normal opening hour of court on the following morning. (Attachments: # <u>1</u> Email)(Hill, Cherelle) (Entered: 02/25/2025)
02/25/2025	<u>158</u>	AFFIDAVIT of Service, filed by State of Rhode Island for complaint Jennifer Bastress Tahmasebi served on 2/19/2025, answer due 4/21/2025; Scott Bessent served on 2/19/2025, answer due 4/21/2025; Denise Carter served on 2/19/2025, answer due 4/21/2025; Douglas Collins served on 2/19/2025, answer due 4/21/2025; Patricia Collins served on 2/19/2025, answer due 4/21/2025; Corporation for National and Community Service served on 2/19/2025, answer due 4/21/2025; Douglas Burgum served on 2/19/2025, answer due 4/21/2025; Dorothy A Fink served on 2/19/2025, answer due 4/21/2025; Gary Washington served on 2/19/2025, answer due 4/21/2025; Cameron Hamilton served on 2/19/2025, answer due 4/21/2025; Peter Hegseth served on 2/19/2025, answer due 4/21/2025; Judith Kaleta served on 2/19/2025, answer due 4/21/2025; Michelle King served on 2/19/2025, answer due 4/21/2025; Ingrid Kolb served on 2/19/2025, answer due 4/21/2025; James R McHenry, III served on 2/19/2025, answer due 4/21/2025; Vince Micone served on 2/19/2025, answer due 4/21/2025; National Aeronautics and Space Administration served on 2/19/2025, answer due 4/21/2025; Kristi Noem served on 2/19/2025, answer due 4/21/2025; Sethuraman Panchanathan served on 2/19/2025, answer due 4/21/2025; James Payne served on 2/19/2025, answer due 4/21/2025; Jeremy Pelter served on 2/19/2025, answer due 4/21/2025; Janet Petro served on 2/19/2025, answer due 4/21/2025; Marco Rubio served on 2/19/2025, answer due 4/21/2025; The National Science Foundation served on 2/19/2025, answer due 4/21/2025; Donald Trump served on 2/19/2025, answer due 4/21/2025; Scott Turner served on 2/19/2025, answer due 4/21/2025; U.S. Agency for International Development served on 2/19/2025, answer due 4/21/2025; U.S. Department of Agriculture served on 2/19/2025, answer due 4/21/2025; U.S. Department of Commerce served on 2/19/2025, answer due 4/21/2025; U.S. Department of Defense served on 2/19/2025, answer due 4/21/2025; U.S. Department of Education served on 2/19/2025, answer due 4/21/2025; U.S. Department of Energy served on 2/19/2025, answer due 4/21/2025; U.S. Department of Health and Human Services served on 2/19/2025, answer due 4/21/2025; U.S. Department of Homeland Security served on 2/19/2025, answer due 4/21/2025; U.S. Department of Housing and Urban Development served on 2/19/2025, answer due 4/21/2025; U.S. Department of Justice served on 2/19/2025, answer due 4/21/2025; U.S. Department of Labor served on 2/19/2025, answer due 4/21/2025; U.S. Department of State served on 2/19/2025, answer due 4/21/2025; U.S. Department of Transportation served on 2/19/2025, answer due 4/21/2025; U.S. Department of

		Veterans Affairs served on 2/19/2025, answer due 4/21/2025; U.S. Department of the Interior served on 2/19/2025, answer due 4/21/2025; U.S. Department of the Treasury served on 2/19/2025, answer due 4/21/2025; U.S. Environmental Protection Agency served on 2/19/2025, answer due 4/21/2025; U.S. Federal Emergency Management Agency served on 2/19/2025, answer due 4/21/2025; U.S. Office of Management and Budget served on 2/19/2025, answer due 4/21/2025; U.S. Small Business Administration served on 2/19/2025, answer due 4/21/2025; U.S. Social Security Administration served on 2/19/2025, answer due 4/21/2025; Matthew Vaeth served on 2/19/2025, answer due 4/21/2025; Everett Woodel served on 2/19/2025, answer due 4/21/2025. (Attachments: # <u>1</u> Affidavit)(Giarrano, Leonard) (Entered: 02/25/2025)
02/25/2025	<u>159</u>	NOTICE by State of Delaware, District of Columbia, State of Hawaii, State of Maine, State of Maryland, State of Michigan, State of Minnesota, State of Nevada, State of North Carolina, State of New Mexico, State of New York, State of Oregon, State of Vermont, State of Washington, State of Wisconsin, State of California, State of Illinois, State of Rhode Island, State of New Jersey, Office of the Governor of Kentucky ex rel. Andy Beshear, Commonwealth of Massachusetts, State of Arizona, State of Colorado, State of Connecticut of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Hemmer, Alex) (Entered: 02/25/2025)
02/28/2025	<u>160</u>	Second MOTION to Enforce re: <u>50</u> Order on Motion for TRO filed by All Plaintiffs. <b>Responses due by 3/14/2025.</b> (Attachments: # <u>1</u> Affidavit Affirmation of Theodore McCombs)(Faer, Laura) (Entered: 02/28/2025)
03/04/2025		TEXT ORDER: Defendant shall file a response on or before March 7th, 2025 re: <u>160</u> Second MOTION to Enforce re: <u>50</u> Order on Motion for TRO. So Ordered by Chief Judge John J. McConnell, Jr. on 3/4/2025. (Jackson, Ryan) (Entered: 03/04/2025)
03/05/2025		TEXT ORDER Vacating this Court's Text Order dated 3/4/2025. No Further filings should be made re: <u>160</u> Second MOTION to Enforce re: <u>50</u> Order on Motion for TRO at this time. So Ordered by Chief Judge John J. McConnell, Jr. on 3/5/2025. (Jackson, Ryan) (Entered: 03/05/2025)
03/06/2025	<u>161</u>	MEMORANDUM AND ORDER granting <u>67</u> Motion for Preliminary Injunction; denying as moot <u>160</u> Second MOTION to Enforce re: <u>50</u> Order on TRO; and, denying the Defendants' request to stay this Order pending appeal to the First Circuit. Defendant Federal Emergency Management Agency ("FEMA") shall file a status report on or before 3/14/2025, informing the Court of the status of their compliance with this order. So Ordered by Chief Judge John J. McConnell, Jr. on 3/6/2025. (Jackson, Ryan) (Entered: 03/06/2025)
03/06/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Robert F. Kennedy, Jr. has been substituted for Dorothy A. Fink, MD as Secretary of the Department of Health and Human Services. So Ordered by Chief Judge John J. McConnell, Jr. on 3/6/2025. (Simoncelli, Michael) (Entered: 03/06/2025)
03/06/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Linda McMahon has been substituted for Denise Carter as Secretary of the Department of Education. So Ordered by Chief Judge John J. McConnell, Jr. on 3/6/2025. (Simoncelli, Michael) (Entered: 03/06/2025)
03/06/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Brooke Rollins has been substituted for Gary Washington as Secretary of the Department of Agriculture. So Ordered by Chief Judge John J. McConnell, Jr. on 3/6/2025. (Simoncelli, Michael) (Entered: 03/06/2025)

03/06/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Howard Lutnick has been substituted for Jeremy Pelter as Secretary of the Department of Commerce. So Ordered by Chief Judge John J. McConnell, Jr. on 3/6/2025. (Simoncelli, Michael) (Entered: 03/06/2025)
03/06/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Leland Dudek has been substituted for Michelle King as Acting Commissioner of the Social Security Administration. So Ordered by Chief Judge John J. McConnell, Jr. on 3/6/2025. (Simoncelli, Michael) (Entered: 03/06/2025)
03/06/2025		TEXT ORDER: Pursuant to Fed. R. Civ. P. 25(d), Kelly Loeffler has been substituted for Everett Woodel as Administrator of the Small Business Administration. So Ordered by Chief Judge John J. McConnell, Jr. on 3/6/2025. (Simoncelli, Michael) (Entered: 03/06/2025)
03/10/2025	<u>162</u>	<p>NOTICE OF APPEAL by Donald Trump, U.S. Office of Management and Budget, Matthew Vaeth, U.S. Department of the Treasury, Scott Bessent, Patricia Collins, U.S. Department of Health and Human Services, U.S. Department of Education, U.S. Federal Emergency Management Agency, Cameron Hamilton, U.S. Department of Transportation, Judith Kaleta, U.S. Department of Labor, Vince Micone, U.S. Department of Energy, Ingrid Kolb, U.S. Environmental Protection Agency, James Payne, U.S. Department of Homeland Security, Kristi Noem, U.S. Department of Justice, James R McHenry, III, The National Science Foundation, Sethuraman Panchanathan, Lee Michael Zeldin, Christopher Allen Wright, Sean P. Duffy, Russell Vought, U.S. Department of the Interior, Douglas Burgum, Pamela Bondi, U.S. Department of Agriculture, U.S. Department of Housing and Urban Development, Scott Turner, U.S. Department of State, Marco Rubio, U.S. Agency for International Development, U.S. Department of Defense, Peter Hegseth, U.S. Department of Veterans Affairs, Douglas Collins, U.S. Department of Commerce, National Aeronautics and Space Administration, Janet Petro, Corporation for National and Community Service, Jennifer Bastress Tahmasebi, U.S. Social Security Administration, U.S. Small Business Administration, Robert F. Kennedy, Jr., Linda McMahon, Brooke Rollins, Howard Lutnick, Leland C. Dudek, Kelly Loeffler as to <u>161</u> Order on Motion for Preliminary Injunction,,, Order on Motion for Miscellaneous Relief,, (No fee paid, USA, Waived by Statute, or IFP.)</p> <p><b>NOTICE TO COUNSEL: Counsel should register for a First Circuit CM/ECF Appellate Filer Account at <a href="http://pacer.psc.uscourts.gov/cmecf/">http://pacer.psc.uscourts.gov/cmecf/</a>. Counsel should also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at <a href="http://www.ca1.uscourts.gov/cmecf">http://www.ca1.uscourts.gov/cmecf</a></b> Appeal Record due by 3/17/2025. (Schwei, Daniel) (Entered: 03/10/2025)</p>
03/10/2025	<u>163</u>	CLERK'S CERTIFICATE AND APPELLATE COVER SHEET: Abbreviated record on appeal consisting of notice of appeal, order(s) being appealed, and a certified copy of the district court docket report transmitted to the U.S. Court of Appeals for the First Circuit in accordance with 1st Cir. R. 11.0(b). <u>162</u> Notice of Appeal. (Attachments: # <u>1</u> Record on Appeal)(Hill, Cherele) (Entered: 03/10/2025)
03/10/2025		USCA Case Number 25–1236 for <u>162</u> Notice of Appeal, filed by U.S. Department of State, Corporation for National and Community Service, Douglas Burgum, Lee Michael Zeldin, U.S. Environmental Protection Agency, Howard Lutnick, U.S. Department of Health and Human Services, U.S. Department of the Interior, Peter Hegseth, U.S. Small Business Administration, National Aeronautics and Space



		Administration, U.S. Department of the Treasury, U.S. Department of Homeland Security, U.S. Agency for International Development, Donald Trump, Vince Micone, Robert F. Kennedy, Jr., Linda McMahon, U.S. Department of Agriculture, U.S. Department of Transportation, Patricia Collins, U.S. Department of Justice, James R McHenry, III, Ingrid Kolb, Brooke Rollins, Leland C. Dudek, Christopher Allen Wright, Scott Turner, Matthew Vaeth, Douglas Collins, U.S. Department of Energy, U.S. Department of Veterans Affairs, Scott Bessent, U.S. Department of Labor, U.S. Department of Housing and Urban Development, U.S. Federal Emergency Management Agency, U.S. Department of Commerce, Marco Rubio, Sethuraman Panchanathan, The National Science Foundation, U.S. Department of Defense, Judith Kaleta, Janet Petro, Pamela Bondi, U.S. Social Security Administration, U.S. Office of Management and Budget, U.S. Department of Education, Kristi Noem, Kelly Loeffler, Jennifer Bastress Tahmasebi, Sean P. Duffy, James Payne, Russell Vought, Cameron Hamilton. (Hill, Cherelle) (Entered: 03/10/2025)
03/14/2025	<u>164</u>	TRANSCRIPT of Motion on Preliminary Injunction held on 02/21/2025 before Judge Chief Judge John J. McConnell, Jr.. Court Reporter/Transcriber Denise A Webb, Telephone number 4017527045. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. <b>NOTICE TO COUNSEL: Redaction Requests must be filed for personal identifiers only. All other redactions must be requested by motion. For local policy and sample redaction request visit our website at <a href="http://www.rid.uscourts.gov">www.rid.uscourts.gov</a> and select Transcripts under the Case Information menu option.</b> Redaction Request due 4/4/2025. Redacted Transcript Deadline set for 4/14/2025. Release of Transcript Restriction set for 6/12/2025. (Webb, Denise) (Entered: 03/14/2025)
03/14/2025	<u>165</u>	TRANSCRIPT of Motion for Temporary Restraining Order held on 01/29/2025 before Judge Chief Judge John J. McConnell, Jr.. Court Reporter/Transcriber Denise A Webb, Telephone number 4017527045. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. <b>NOTICE TO COUNSEL: Redaction Requests must be filed for personal identifiers only. All other redactions must be requested by motion. For local policy and sample redaction request visit our website at <a href="http://www.rid.uscourts.gov">www.rid.uscourts.gov</a> and select Transcripts under the Case Information menu option.</b> Redaction Request due 4/4/2025. Redacted Transcript Deadline set for 4/14/2025. Release of Transcript Restriction set for 6/12/2025. (Webb, Denise) Modified on 4/4/2025 to correct docket text(Simoncelli, Michael). (Entered: 03/14/2025)
03/14/2025	<u>166</u>	STATUS REPORT <i>Regarding FEMA's Compliance With Preliminary Injunction</i> by All Defendants. (Attachments: # <u>1</u> Exhibit FEMA Hamilton Declaration, # <u>2</u> Exhibit Hamilton Decl. Exhibit 1, # <u>3</u> Exhibit Hamilton Decl. Exhibit 2, # <u>4</u> Exhibit Hamilton Decl. Exhibit 3, # <u>5</u> Exhibit Hamilton Decl. Exhibit 4, # <u>6</u> Exhibit Hamilton Decl. Exhibit 5, # <u>7</u> Exhibit Hamilton Decl. Exhibit 6, # <u>8</u> Exhibit Hamilton Decl. Exhibit 7, # <u>9</u> Exhibit Hamilton Decl. Exhibit 8, # <u>10</u> Exhibit Hamilton Decl. Exhibit 9, # <u>11</u> Exhibit Hamilton Decl. Exhibit 10, # <u>12</u> Exhibit Hamilton Decl. Exhibit 11, # <u>13</u> Exhibit Hamilton Decl. Exhibit 12, # <u>14</u> Exhibit OMB Written Notice Regarding Preliminary Injunction)(Freidah, Andrew) (Entered: 03/14/2025)
03/17/2025	<u>167</u>	RESPONSE IN OPPOSITION to ECF <u>166</u> STATUS REPORT by State of Delaware, District of Columbia, State of Hawaii, State of Maine, State of Maryland, State of

		Michigan, State of Minnesota, State of Nevada, State of North Carolina, State of New Mexico, State of New York, State of Oregon, State of Vermont, State of Washington, State of Wisconsin, State of California, State of Illinois, State of Rhode Island, State of New Jersey, Office of the Governor of Kentucky ex rel. Andy Beshear, Commonwealth of Massachusetts, State of Arizona, State of Colorado, State of Connecticut re <u>166</u> Status Report,, . (Thomas–Jensen, Molly) Modified Text on 3/20/2025 (Hill, Cherelle). (Entered: 03/17/2025)
03/24/2025	<u>168</u>	MOTION for Enforcement of Preliminary Injunction re: <u>161</u> Order on Motion for Preliminary Injunction,, Order on Motion for Miscellaneous Relief,, <u>160</u> Second MOTION to Enforce re: <u>50</u> Order on Motion for TRO filed by All Plaintiffs. <b>Responses due by 4/7/2025.</b> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Rice, Sarah) (Entered: 03/24/2025)
03/25/2025		TEXT ORDER: Defendants shall file a response <u>on or before March 27th, 2025</u> to <u>168</u> MOTION for Enforcement of Preliminary Injunction re: <u>161</u> Order on Motion for Preliminary Injunction. So Ordered by Chief Judge John J. McConnell, Jr. on 3/25/2025. (Jackson, Ryan) (Entered: 03/25/2025)
03/26/2025	<u>169</u>	NOTICE by State of Delaware, District of Columbia, State of Hawaii, State of Maine, State of Maryland, State of Michigan, State of Minnesota, State of Nevada, State of North Carolina, State of New Mexico, State of New York, State of Oregon, State of Vermont, State of Washington, State of Wisconsin, State of California, State of Illinois, State of Rhode Island, State of New Jersey, Office of the Governor of Kentucky ex rel. Andy Beshear, Commonwealth of Massachusetts, State of Arizona, State of Colorado, State of Connecticut <i>of supplemental filing</i> (Attachments: # <u>1</u> Affidavit of R. Henry Weaver)(Hemmer, Alex) (Entered: 03/26/2025)
03/27/2025	<u>170</u>	OPINION of the U.S. Court of Appeals for the First Circuit entered as to <u>162</u> Notice of Appeal, filed by U.S. Department of State, Corporation for National and Community Service, Douglas Burgum, Lee Michael Zeldin, U.S. Environmental Protection Agency, Howard Lutnick, U.S. Department of Health and Human Services, U.S. Department of the Interior, Peter Hegseth, U.S. Small Business Administration, National Aeronautics and Space Administration, U.S. Department of the Treasury, U.S. Department of Homeland Security, U.S. Agency for International Development, Donald Trump, Vince Micone, Robert F. Kennedy, Jr., Linda McMahon, U.S. Department of Agriculture, U.S. Department of Transportation, Patricia Collins, U.S. Department of Justice, James R McHenry, III, Ingrid Kolb, Brooke Rollins, Leland C. Dudek, Christopher Allen Wright, Scott Turner, Matthew Vaeth, Douglas Collins, U.S. Department of Energy, U.S. Department of Veterans Affairs, Scott Bessent, U.S. Department of Labor, U.S. Department of Housing and Urban Development, U.S. Federal Emergency Management Agency, U.S. Department of Commerce, Marco Rubio, Sethuraman Panchanathan, The National Science Foundation, U.S. Department of Defense, Judith Kaleta, Janet Petro, Pamela Bondi, U.S. Social Security Administration, U.S. Office of Management and Budget, U.S. Department of Education, Kristi Noem, Kelly Loeffler, Jennifer Bastress Tahmasebi, Sean P. Duffy, James Payne, Russell Vought, Cameron Hamilton. OPINION issued by David J. Barron, Chief Appellate Judge; Lara E. Montecalvo, Appellate Judge and Julie Rikelman, Appellate Judge. Published. [25–1236] (Gonzalez Gomez, Viviana) (Entered: 03/27/2025)
03/27/2025	<u>171</u>	ORDER of the U.S. Court of Appeals for the First Circuit entered as to <u>162</u> Notice of Appeal, filed by U.S. Department of State, Corporation for National and Community

		Service, Douglas Burgum, Lee Michael Zeldin, U.S. Environmental Protection Agency, Howard Lutnick, U.S. Department of Health and Human Services, U.S. Department of the Interior, Peter Hegseth, U.S. Small Business Administration, National Aeronautics and Space Administration, U.S. Department of the Treasury, U.S. Department of Homeland Security, U.S. Agency for International Development, Donald Trump, Vince Micone, Robert F. Kennedy, Jr., Linda McMahon, U.S. Department of Agriculture, U.S. Department of Transportation, Patricia Collins, U.S. Department of Justice, James R McHenry, III, Ingrid Kolb, Brooke Rollins, Leland C. Dudek, Christopher Allen Wright, Scott Turner, Matthew Vaeth, Douglas Collins, U.S. Department of Energy, U.S. Department of Veterans Affairs, Scott Bessent, U.S. Department of Labor, U.S. Department of Housing and Urban Development, U.S. Federal Emergency Management Agency, U.S. Department of Commerce, Marco Rubio, Sethuraman Panchanathan, The National Science Foundation, U.S. Department of Defense, Judith Kaleta, Janet Petro, Pamela Bondi, U.S. Social Security Administration, U.S. Office of Management and Budget, U.S. Department of Education, Kristi Noem, Kelly Loeffler, Jennifer Bastress Tahmasebi, Sean P. Duffy, James Payne, Russell Vought, Cameron Hamilton. ORDER entered by David J. Barron, Chief Appellate Judge; Lara E. Montecalvo, Appellate Judge and Julie Rikelman, Appellate Judge: In accordance with the opinion of even date, the appellants' motion for a stay pending appeal of the District Court's preliminary injunction is denied. The proposed amicus curiae briefs are accepted this day. [25-1236] (Gonzalez Gomez, Viviana) (Entered: 03/27/2025)
03/27/2025	<u>172</u>	RESPONSE In Opposition to <u>168</u> MOTION for Enforcement of Preliminary Injunction re: <u>161</u> Order on Motion for Preliminary Injunction,, Order on Motion for Miscellaneous Relief,, <u>160</u> Second MOTION to Enforce re: <u>50</u> Order on Motion for TRO filed by All Defendants. <b>Replies due by 4/3/2025.</b> (Attachments: # <u>1</u> Exhibit Third Hamilton Declaration, # <u>2</u> Exhibit Third Hamilton Decl. Exhibit 1)(Freidah, Andrew) (Entered: 03/27/2025)
03/27/2025		TEXT ORDER: Plaintiffs shall have until 3/31/25 to file a Reply to ECF No. 172, if they wish re: <u>172</u> Response to Motion filed by all Defendants. So Ordered by Chief Judge John J. McConnell, Jr. on 3/27/2025. (Jackson, Ryan) (Entered: 03/27/2025)
03/31/2025	<u>173</u>	REPLY to Response re <u>172</u> Response to Motion, filed by State of Delaware, District of Columbia, State of Hawaii, State of Maine, State of Maryland, State of Michigan, State of Minnesota, State of Nevada, State of North Carolina, State of New Mexico, State of New York, State of Oregon, State of Vermont, State of Washington, State of Wisconsin, State of California, State of Illinois, State of Rhode Island, State of New Jersey, Office of the Governor of Kentucky ex rel. Andy Beshear, Commonwealth of Massachusetts, State of Arizona, State of Colorado, State of Connecticut. (Dirks, Katherine) (Entered: 03/31/2025)
03/31/2025	<u>174</u>	REPLY to Response re <u>172</u> Response to Motion, ( <i>CORRECTED</i> ) filed by State of Delaware, District of Columbia, State of Hawaii, State of Maine, State of Maryland, State of Michigan, State of Minnesota, State of Nevada, State of North Carolina, State of New Mexico, State of New York, State of Oregon, State of Vermont, State of Washington, State of Wisconsin, State of California, State of Illinois, State of Rhode Island, State of New Jersey, Office of the Governor of Kentucky ex rel. Andy Beshear, Commonwealth of Massachusetts, State of Arizona, State of Colorado, State of Connecticut. (Dirks, Katherine) (Entered: 03/31/2025)
04/04/2025	<u>175</u>	MEMORANDUM AND ORDER granting <u>168</u> MOTION for Enforcement of

		Preliminary Injunction. So Ordered by Chief Judge John J. McConnell, Jr. on 4/4/2025. (Simoncelli, Michael) Modified on 4/7/2025: Document replaced for typographical error (Jackson, Ryan). (Main Document 175 replaced on 4/7/2025) (Jackson, Ryan). (Entered: 04/04/2025)
04/05/2025	<u>176</u>	Emergency MOTION for Reconsideration re <u>175</u> Order on Motion for Miscellaneous Relief , MOTION to Alter Judgment filed by All Defendants. <b>Responses due by 4/21/2025.</b> (Attachments: # <u>1</u> Exhibit A – Department of Education v California, Supreme Court Slip Opinion)(Schwei, Daniel) (Entered: 04/05/2025)
04/06/2025	<u>177</u>	MOTION to Seal <i>List of Notice Recipients; Notice of Compliance Regarding FEMA</i> Filed. Notice Sent To: All Defendants. (Attachments: # <u>1</u> Exhibit Exhibit A – Written Notice of Court Orders, # <u>2</u> Proposed Sealed Document Exhibit B – List of Notice Recipients)(Freidah, Andrew) <b>This entry/document has been filed under seal pursuant to statute, rule or court order and access is restricted. Please login to CM/ECF to view document(s).</b> (Entered: 04/06/2025)
04/06/2025	<u>178</u>	NOTICE by Donald Trump, U.S. Office of Management and Budget, Matthew Vaeth, U.S. Department of the Treasury, Scott Bessent, Patricia Collins, U.S. Department of Health and Human Services, U.S. Department of Education, U.S. Federal Emergency Management Agency, Cameron Hamilton, U.S. Department of Transportation, Judith Kaleta, U.S. Department of Labor, Vince Micone, U.S. Department of Energy, Ingrid Kolb, U.S. Environmental Protection Agency, James Payne, U.S. Department of Homeland Security, Kristi Noem, U.S. Department of Justice, James R McHenry, III, The National Science Foundation, Sethuraman Panchanathan, Lee Michael Zeldin, Christopher Allen Wright, Sean P. Duffy, Russell Vought, U.S. Department of the Interior, Douglas Burgum, Pamela Bondi, U.S. Department of Agriculture, U.S. Department of Housing and Urban Development, Scott Turner, U.S. Department of State, Marco Rubio, U.S. Agency for International Development, U.S. Department of Defense, Peter Hegseth, U.S. Department of Veterans Affairs, Douglas Collins, U.S. Department of Commerce, National Aeronautics and Space Administration, Janet Petro, Corporation for National and Community Service, Jennifer Bastress Tahmasebi, U.S. Social Security Administration, U.S. Small Business Administration, Robert F. Kennedy, Jr., Linda McMahon, Brooke Rollins, Howard Lutnick, Leland C. Dudek, Kelly Loeffler <i>of Compliance Regarding FEMA</i> (Attachments: # <u>1</u> Exhibit Exhibit A – Written Notice of Court Orders)(Freidah, Andrew) (Entered: 04/06/2025)
04/06/2025	<u>179</u>	RESPONSE In Opposition to <u>176</u> Emergency MOTION for Reconsideration re <u>175</u> Order on Motion for Miscellaneous Relief MOTION to Alter Judgment filed by All Plaintiffs. <b>Replies due by 4/14/2025.</b> (Thomas–Jensen, Molly) (Entered: 04/06/2025)
04/07/2025		TEXT ORDER granting <u>177</u> Motion to Seal. So Ordered by Chief Judge John J. McConnell, Jr. on 4/7/2025. (Jackson, Ryan) (Entered: 04/07/2025)
04/07/2025		TEXT ORDER Staying <u>175</u> Order on Motion for Miscellaneous Relief: In light of the recent Supreme Court Order ( <i>Department of Education v. California</i> , No. 24A910, April 4, 2025), and the Defendants' Motion for Reconsideration <u>176</u> , the Court temporarily STAYS its enforcement Order <u>175</u> until such time as the Court can adequately address the Motion for Reconsideration. So Ordered by Chief Judge John J. McConnell, Jr. on 4/7/2025. (Jackson, Ryan) (Entered: 04/07/2025)
04/07/2025	<u>181</u>	REPLY to Response re <u>179</u> Response to Motion, filed by All Defendants. (Schwei, Daniel) (Entered: 04/07/2025)
04/14/2025	<u>182</u>	



		ORDER denying <u>176</u> Motion for Reconsideration of the Court's enforcement order; and denying alternative request for a stay pending appeal. So Ordered by Chief Judge John J. McConnell, Jr. on 4/14/2025. (Simoncelli, Michael) (Entered: 04/14/2025)
04/17/2025	<u>183</u>	Consent MOTION to Stay <i>April 21, 2025, Deadline to Respond to Plaintiffs' Complaint</i> filed by All Defendants. <b>Responses due by 5/1/2025.</b> (Sirkovich, Eitan) (Entered: 04/17/2025)
04/21/2025		TEXT ORDER granting <u>183</u> Motion to Stay 4/21/2025 Deadline for Defendants to Respond to Plaintiffs' Complaint. So Ordered by Chief Judge John J. McConnell, Jr. on 4/21/2025. (Jackson, Ryan) (Entered: 04/21/2025)
04/24/2025	<u>184</u>	NOTICE by Donald Trump, U.S. Office of Management and Budget, Matthew Vaeth, U.S. Department of the Treasury, Scott Bessent, Patricia Collins, U.S. Department of Health and Human Services, U.S. Department of Education, U.S. Federal Emergency Management Agency, Cameron Hamilton, U.S. Department of Transportation, Judith Kaleta, U.S. Department of Labor, Vince Micone, U.S. Department of Energy, Ingrid Kolb, U.S. Environmental Protection Agency, James Payne, U.S. Department of Homeland Security, Kristi Noem, U.S. Department of Justice, James R McHenry, III, The National Science Foundation, Sethuraman Panchanathan, Lee Michael Zeldin, Christopher Allen Wright, Sean P. Duffy, Russell Vought, U.S. Department of the Interior, Douglas Burgum, Pamela Bondi, U.S. Department of Agriculture, U.S. Department of Housing and Urban Development, Scott Turner, U.S. Department of State, Marco Rubio, U.S. Agency for International Development, U.S. Department of Defense, Peter Hegseth, U.S. Department of Veterans Affairs, Douglas Collins, U.S. Department of Commerce, National Aeronautics and Space Administration, Janet Petro, Corporation for National and Community Service, Jennifer Bastress Tahmasebi, U.S. Social Security Administration, U.S. Small Business Administration, Robert F. Kennedy, Jr., Linda McMahon, Brooke Rollins, Howard Lutnick, Leland C. Dudek, Kelly Loeffler <i>of Compliance Regarding FEMA Payments</i> (Attachments: # <u>1</u> Exhibit List of FEMA Grant Payments to Plaintiff States)(Freidah, Andrew) (Entered: 04/24/2025)
04/28/2025	<u>185</u>	NOTICE OF APPEAL by Donald Trump, U.S. Office of Management and Budget, Matthew Vaeth, U.S. Department of the Treasury, Scott Bessent, Patricia Collins, U.S. Department of Health and Human Services, U.S. Department of Education, U.S. Federal Emergency Management Agency, Cameron Hamilton, U.S. Department of Transportation, Judith Kaleta, U.S. Department of Labor, Vince Micone, U.S. Department of Energy, Ingrid Kolb, U.S. Environmental Protection Agency, James Payne, U.S. Department of Homeland Security, Kristi Noem, U.S. Department of Justice, James R McHenry, III, The National Science Foundation, Sethuraman Panchanathan, Lee Michael Zeldin, Christopher Allen Wright, Sean P. Duffy, Russell Vought, U.S. Department of the Interior, Douglas Burgum, Pamela Bondi, U.S. Department of Agriculture, U.S. Department of Housing and Urban Development, Scott Turner, U.S. Department of State, Marco Rubio, U.S. Agency for International Development, U.S. Department of Defense, Peter Hegseth, U.S. Department of Veterans Affairs, Douglas Collins, U.S. Department of Commerce, National Aeronautics and Space Administration, Janet Petro, Corporation for National and Community Service, Jennifer Bastress Tahmasebi, U.S. Social Security Administration, U.S. Small Business Administration, Robert F. Kennedy, Jr., Linda McMahon, Brooke Rollins, Howard Lutnick, Leland C. Dudek, Kelly Loeffler as to <u>182</u> Order on Motion for Reconsideration, Order on Motion to Alter Judgment, <u>175</u> Order on Motion for Miscellaneous Relief, (No fee paid, USA, Waived by Statute, or

IFP.)

**NOTICE TO COUNSEL:** Counsel should register for a First Circuit CM/ECF Appellate Filer Account at <http://pacer.psc.uscourts.gov/cmecf/>. Counsel should also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at <http://www.ca1.uscourts.gov/cmecf> Appeal Record due by 5/5/2025. (Freidah, Andrew) (Entered: 04/28/2025)

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, IN HIS OFFICIAL  
CAPACITY AS PRESIDENT OF THE  
UNITED STATES, *et al.*,

Defendants.

Civil Action No. 1:25-cv-39 (JJM)

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**DEFENDANTS' NOTICE OF APPEAL**

PLEASE TAKE NOTICE that Defendants hereby appeal to the United States Court of Appeals for the First Circuit from this Court's Order enforcing the preliminary injunction as to certain funding administered by the Federal Emergency Management Agency, as set forth in the Memorandum and Order dated April 4, 2025 and docketed at ECF No. 175, and from this Court's Order denying reconsideration of that prior Order, dated April 14, 2025 and docketed at ECF No. 182.

Dated: April 28, 2025

Respectfully submitted,

YAAKOV M. ROTH  
Acting Assistant Attorney General

ALEXANDER K. HAAS  
Director

DANIEL SCHWEI  
Special Counsel

/s/ Andrew F. Freidah  
ANDREW F. FREIDAH  
EITAN R. SIRKOVICH  
Trial Attorneys  
United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Washington, DC 20530  
Tel.: (202) 305-0879  
Fax: (202) 616-8470  
Email: andrew.f.freidah@usdoj.gov

*Counsel for Defendants*

**CERTIFICATION OF SERVICE**

I hereby certify that on April 28, 2025, I electronically filed the within Certification with the Clerk of the United States District Court for the District of Rhode Island using the CM/ECF System, thereby serving it on all registered users in accordance with Federal Rule of Civil Procedure 5(b)(2)(E) and Local Rule Gen 305.

/s/ Andrew F. Freidah  
Andrew F. Freidah

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

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STATE OF NEW YORK; STATE OF  
CALIFORNIA; STATE OF  
ILLINOIS; STATE OF RHODE  
ISLAND; STATE OF NEW JERSEY;  
COMMONWEALTH OF  
MASSACHUSETTS; STATE OF  
ARIZONA; STATE OF COLORADO;  
STATE OF CONNECTICUT; STATE  
OF DELAWARE; THE DISTRICT  
OF COLUMBIA; STATE OF  
HAWAII; OFFICE OF THE  
GOVERNOR *ex rel.* Andy Beshear, in  
his official capacity as Governor of  
the COMMONWEALTH OF  
KENTUCKY; STATE OF MAINE;  
STATE OF MARYLAND; STATE OF  
MICHIGAN; STATE OF  
MINNESOTA; STATE OF NEVADA;  
STATE OF NEW MEXICO; STATE  
OF NORTH CAROLINA; STATE OF  
OREGON; STATE OF VERMONT;  
STATE OF WASHINGTON; and  
STATE OF WISCONSIN,

Plaintiffs,

v.

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. OFFICE OF  
MANAGEMENT AND BUDGET;  
RUSSELL VOUGHT, in his official  
capacity as Director of the U.S. Office  
of Management and Budget; U.S.  
DEPARTMENT OF THE  
TREASURY; SCOTT BESSENT, in  
his official capacity as Secretary of  
the Treasury; PATRICIA COLLINS,  
in her official capacity as Treasurer  
of the United States; U.S.

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C.A. No. 25-cv-39-JJM-PAS

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DEPARTMENT OF HEALTH AND )  
HUMAN SERVICES; ROBERT F. )  
KENNEDY, JR., in his official )  
capacity as Secretary of Health and )  
Human Services; U.S. )  
DEPARTMENT OF EDUCATION; )  
LINDA MCMAHON, in her official )  
capacity as Secretary of Education; )  
U.S. DEPARTMENT OF )  
TRANSPORTATION; SEAN DUFFY, )  
in his official capacity as Secretary of )  
Transportation; U.S. DEPARTMENT )  
OF LABOR; LORI CHAVEZ- )  
DEREMER, in her official capacity as )  
Secretary of Labor; U.S. )  
DEPARTMENT OF ENERGY; )  
CHRIS WRIGHT, in his official )  
capacity as Secretary of Energy; U.S. )  
ENVIRONMENTAL PROTECTION )  
AGENCY; LEE ZELDIN, in his )  
official capacity as Administrator of )  
the U.S. Environmental Protection )  
Agency; U.S. DEPARTMENT OF )  
THE INTERIOR; DOUG BURGUM, )  
in his official capacity as Secretary of )  
the Interior; U.S. DEPARTMENT OF )  
HOMELAND SECURITY; KRISTI )  
NOEM, in her capacity as Secretary )  
of Homeland Security; U.S. )  
DEPARTMENT OF JUSTICE; )  
PAMELA BONDI, in her official )  
capacity as Attorney General of the )  
U.S. Department of Justice; THE )  
NATIONAL SCIENCE )  
FOUNDATION; DR. SETHURAMAN )  
PANCHANATHAN, in his capacity )  
as Director of the National Science )  
Foundation; U.S. DEPARTMENT OF )  
AGRICULTURE; BROOKE )  
ROLLINS, in her official capacity as )  
Secretary of Agriculture; U.S. )  
DEPARTMENT OF HOUSING AND )  
URBAN DEVELOPMENT; SCOTT )  
TURNER, in his official capacity as )

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Secretary of Housing and Urban	)
Development; U.S. DEPARTMENT	)
OF STATE; MARCO RUBIO, in his	)
official capacity as Secretary of State;	)
U.S. AGENCY FOR	)
INTERNATIONAL	)
DEVELOPMENT; MARCO RUBIO,	)
in his official capacity as Acting	)
Administrator of the United States	)
Agency for International	)
Development; U.S. DEPARTMENT	)
OF DEFENSE; PETER HEGSETH,	)
in his official capacity as Secretary of	)
Defense; U.S. DEPARTMENT OF	)
VETERANS AFFAIRS; DOUG	)
COLLINS, in his official capacity as	)
Secretary of Veterans Affairs; U.S.	)
DEPARTMENT OF COMMERCE;	)
HOWARD LUTNICK, in his official	)
capacity as Secretary of Commerce;	)
NATIONAL AERONAUTICS AND	)
SPACE ADMINISTRATION; JANET	)
PETRO in her official capacity as	)
Acting Administrator of National	)
Aeronautics and Space	)
Administration; CORPORATION	)
FOR NATIONAL AND	)
COMMUNITY SERVICE;	)
JENNIFER BASTRESS	)
TAHMASEBI, in her official capacity	)
as Interim Head of the Corporation	)
for National and Community Service;	)
U.S. SOCIAL SECURITY	)
ADMINISTRATION; LELAND	)
DUDEK, in his official capacity as	)
Acting Commissioner of United	)
States Social Security	)
Administration; U.S. SMALL	)
BUSINESS ADMINISTRATION; and	)
KELLY LOEFFLER, in her official	)
capacity as Administrator of U.S.	)
Small Business Administration,	)
Defendants.	)



## MEMORANDUM AND ORDER

JOHN J. MCCONNELL, JR., United States District Court Chief Judge.

Before the Court is the Plaintiff States’ Motion for Enforcement of Preliminary Injunction. ECF No. 168. The States allege that Defendant Federal Emergency Management Agency (“FEMA”) is implementing a categorical freeze on obligated funds that violates the Court’s preliminary injunction order. The Defendants oppose the motion, contending that FEMA is merely implementing a manual review process of which the Court’s preliminary injunction does not restrain. ECF No. 172. For the reasons stated below, the Court GRANTS the States’ Motion for Enforcement.

### I. BACKGROUND

On January 31, 2025, the Court entered a temporary restraining order (“TRO”) that enjoined the Defendants from “paus[ing], freez[ing], imped[ing], block[ing], cancel[ling], or terminat[ing] Defendants’ compliance with awards and obligations to provide federal financial assistance to the States,” and instructed that the Defendants “shall not impede the States’ access to such awards and obligations, except on the basis of the applicable authorizing statutes, regulations, and terms.” ECF No. 50, at 11. The TRO also stated that if the Defendants “engage in the ‘indentif[ication] and review’ of federal financial assistance programs” such an exercise “shall not affect a pause, freeze, impediment, block, cancellation, or termination of Defendants’ compliance with such awards and obligations, except on the basis of the applicable authorizing statutes, regulations, and terms.” *Id.* at 12.

Within the weeks after the Court issued the TRO, the States continued to experience freezes of numerous grants and awards that went unresolved even after conferring with the Defendants' counsel. Thus, the States moved to enforce the TRO, ECF No. 66, which the Court granted—ordering the Defendants to: (1) “immediately restore frozen funding” and “immediately end any funding pause” during the pendency of the TRO, and (2) “immediately take every step necessary to effectuate the TRO.”<sup>1</sup> ECF No. 96 at 4. Eventually, the States filed a Second Motion to Enforce, alleging that the States were facing obstacles to accessing millions of dollars of awarded and obligated FEMA funds and requesting the Court to order FEMA to show compliance with the Court's previous orders. ECF No. 160.

On March 6, the Court issued a preliminary injunction order that enjoined the Defendants—including FEMA—from “pausing, freezing, blocking, canceling, suspending, terminating, or otherwise impeding the disbursement of appropriated federal funds to the States under awarded grants, executed contracts, or other executed financial obligations based on the OMB Directive, . . . or any other materially similar order, memorandum, directive, policy, or practice under which the federal government imposes or applies a categorical pause or freeze of funding appropriated by Congress.” ECF No. 161 at 44.<sup>2</sup> Because the Court's issuance of the

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<sup>1</sup> The Court later issued an order reaffirming that the TRO does not restrain the Defendants from limiting access to federal funds “on the basis of the applicable authorizing statutes, regulations, and term.” ECF No. 107 at 3.

<sup>2</sup> The Defendants have since appealed the Court's preliminary injunction order. ECF No. 162. Though, the 1<sup>st</sup> Circuit denied the Defendants' motion for stay pending appeal of the Court's preliminary injunction. ECF No. 171.

preliminary injunction order rendered the TRO expired, the Court denied the States' Second Motion to Enforce the TRO as moot. *Id.* at 45. Still, the Court ordered FEMA to file a status report telling the Court of the status of their compliance with the preliminary injunction order by March 14, 2025. *Id.* FEMA timely filed the ordered status report, ECF No. 166, and the States swiftly responded, ECF No. 167—alleging that FEMA was not in compliance with the Court's preliminary injunction order. Now, the States move to enforce the Court's preliminary injunction order based on these allegations of FEMA's noncompliance.

## II. STANDARD OF REVIEW

"To prove civil contempt,<sup>3</sup> a movant must show with clear and convincing evidence that (1) the alleged contemnor had notice of a court order, (2) the order was clear and unambiguous, (3) the alleged contemnor had the ability to comply with the order, and (4) the alleged contemnor violated the order." *Letourneau v. Aul*, No. CV 14-421JJM, 2024 WL 1364340, at \*2 (D.R.I. Apr. 1, 2024) (citing *Hawkins v. Dep't of Health & Hum. Servs.*, 665 F.3d 25, 31 (1st Cir. 2012)).

## III. DISCUSSION

The States assert that they have not received "substantial disbursement of funds on important grants since early February." ECF No. 174 at 5. They highlight that these funding disruptions coincide with an email that Stacey Street, Director of the Office of Grants Administration at FEMA, sent to all staff on February 10, 2025,

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<sup>3</sup> While the States do not seek contempt at this time, the Court uses the same factors to determine whether it should order enforcement of its preliminary injunction.

which instructed the placement of “hold toggles” and “financial holds” on “all [FEMA] awards.” ECF No. 166-4. Director Street clarified in a follow up email that these holds were not the holds directed in the OMB M-25-13 (“OMB Directive”) that the Court enjoined in the TRO. ECF No. 166-5 at 2. Rather, Director Street indicated that “we are still processing out awards but will be adding a level of internal controls.”

*Id.*

But the States have presented undisputed evidence that this “processing” of awards has yet to come. *See e.g.*, ECF No. 168-1 at ¶¶ 11-12 (Hawaii’s February 21 second obligation request for almost \$6 million and February 25 drawdown reimbursement request for almost \$500,000 still pending with FEMA); ECF No. 168-2 ¶ 20 (Oregon’s Department of Emergency Management has not received federal FEMA funds since February 20, thus waiting on approximately \$129.4 million in federal funds); ECF No. 168-3 ¶ 6 (None of the Colorado Department of Public Safety’s Division of Homeland Security and Emergency Management’s requests—between February 18 to March 25—for over \$33 million in reimbursement costs from FEMA under fourteen grant program have been approved); ECF No. 168-4 ¶ 7 (Rhode Island’s FEMA grants, which support nearly a dozen grant programs, have been unavailable for more than thirty days); ECF No. 160-1 ¶¶ 4-20 (listing several FEMA grants to state agencies in Arizona, California, Colorado, Hawaii, Illinois, Maine, Maryland, Michigan, New Jersey, New York, Vermont, Washington, and Wisconsin that are frozen and unavailable for drawdown). Overall, the States contend that “as of March 12, 2025, at least 215 FEMA grants to at least nineteen

plaintiff states remain frozen or otherwise inaccessible.” ECF No. 168 at 4. Thus, the States allege that FEMA’s implementation of a manual review process for payment requests violates the Court’s preliminary injunction order because it constitutes “a categorical pause or freeze of funding appropriate by Congress.” ECF No. 174 at 1.

But the Defendants counter that FEMA’s manual review process is not a “pause or withholding of grant funds” but “simply an internal control where FEMA staff manually review all grant payment requests before disbursing payments to recipients.” ECF No. 172 at 7. Cameron Hamilton, Acting FEMA Administrator, attests that he started this manual review process in response to the Department of Homeland Security (“DHS”) Secretary Kristi Noem’s January 28, 2025 memorandum titled “Direction on Grants to Non-governmental Organizations” (“NGO Grants Directive”) ECF No. 172-1 ¶ 6; *see also* ECF No. 166-2. In the memorandum, Secretary Noem ordered a “hold pending review” on “all Department grant disbursements . . . that (a) go to non-profit organizations or for which non-profit organizations are eligible and (b) touch in any way on immigration.” ECF No. 166-2. Thus, on February 14, Mr. Hamilton formalized the ordered review process, issuing the Grant Processing Guidance that ordered FEMA to review certain “obligations, disbursements, and payments” to ensure compliance with Secretary Noem’s directive. *See* ECF No. 166-7 at 1.

The Defendants assert that this “review” of grant payments is not the type contemplated by the OMB Directive that instructed agencies to “review agency

programs and determine the best uses of the funding for those programs consistent with the law and the President’s priorities.” ECF No. 172 at 8. Instead, the Defendants assert that the purpose of this review is to “ensure reimbursement payment requests are allowable, allocable, and reasonable per each award’s terms and conditions . . . and are free from fraud, waste, or abuse.” *Id.*

Further, the Defendants assert that this manual review process is not violative of the Court’s injunction because FEMA is relying on its own independent authorities to implement the process rather than the OMB Directive. ECF No. 172 at 10. They contend that under 2 C.F.R. § 200.300(a), FEMA has an obligation to “manage and administer [each] Federal award in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with the U.S. Constitution, applicable Federal statutes and regulations . . . and the requirements of this part.” *Id.* at 11. The Defendants also highlight that relevant grant regulations dictate that for costs to be allowable under an award, such costs must be “necessary and reasonable for the performance of the Federal award and be allocable thereto” and be “adequately documented.” *Id.* at 10-11 (citing 2 C.F.R. § 200.403(a), (g); 2 C.F.R. §§ 200.404-405). Thus, the Defendants contend that these regulations illustrate that “FEMA has independent regulatory authority to review payment requests to ensure they are appropriate and lawful before approving funds for disbursement.” *Id.* at 11.

But 2 C.F.R. § 200.300(a)’s text is general and nothing within the regulation authorizes FEMA’s imposition of the challenged manual review process—which

essentially imposes an indefinite categorical pause on payments. Nor does 2 C.F.R. § 200.403 provide FEMA with independent regulatory authority to conduct such a review as that regulation merely sets forth the criteria that costs must meet to be allowable under Federal awards. As the States point out, 2 C.F.R. Part 200 already prescribes the means that federal agencies may use to manage recipients' performance and ensure appropriate controls over federal awards—such as Subpart D<sup>4</sup> (Post Federal Award Requirements) and Subpart F (Audit Requirements). But neither § 200.300(a) nor § 200.403: (1) add to these existing regulatory mechanisms for managing recipients' compliance the Constitution, federal statutes, and applicable grant terms, or (2) imbue FEMA with the authority to implement an indefinite categorical manual review process with no clear end.<sup>5</sup>

In any event, the States have presented evidence that strongly suggests that FEMA is implementing this manual review process based, covertly, on the President's January 20, 2025 executive order—"Protecting the American People Against Invasions" ("*Invasion* EO"). Section 17 of the *Invasion* EO provides that the DHS

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<sup>4</sup> Notably, 2 C.F.R. § 200.339, which falls under Subpart D, provides federal agencies like FEMA with remedies for recipients' noncompliance "with the U.S. Constitution, Federal statutes, regulations, or terms and conditions of the Federal award."

<sup>5</sup> To be clear, the preliminary injunction order does not enjoin the Defendants from making funding decisions based on their actual authority under the applicable statutory, regulatory or grant terms. That said, the regulations the Defendants cite to support FEMA's implementation of this manual review process does not provide FEMA with the "independent regulatory authority" to implement such a "review process" that amounts to an indefinite pause on payments—especially considering the explicit regulatory mechanisms that provides the means for federal agencies to manage federal award recipients' compliance with the Constitution, federal statutes, and grant terms and conditions. *See e.g.*, 2 C.F.R. § 200.339.



Secretary “shall . . . evaluate and undertake any lawful actions to ensure that so-called ‘sanctuary’ jurisdictions . . . do not receive access to Federal funds.” Exec. Order 14159, 90 Fed. Reg. 8443, 8446 (Jan. 29, 2025). Then, section 19 directs that the DHS Secretary shall “(a) Immediately review and, if appropriate, audit all contracts, grants, or other agreements providing Federal funding to non-governmental organizations supporting or providing services, either directly or indirectly, to removable or illegal aliens . . . [and] (b) Pause distribution of all further funds pursuant to such agreements pending the results of the review in subsection (a).” *Id.* at 8447.

Secretary Noem’s NGO Grants Directive take steps to effectuate section 19 of the *Invasion* EO, as she directs a “hold” on “all Department grant disbursements . . . that (a) go to non-profit organizations or for which non-profit organizations are eligible and (b) touch in any way on immigration.” ECF No. 166-2. Further, the NGO Grants Directive was issued barely a week after the *Invasion* EO and a day after the OMB Directive, which called for a pause on disbursements of all federal financial assistance that may be implicated by the Executive Orders—including the *Invasion* EO. *See* OMB M-25-13 at 1-2. The temporal proximity between the issuance of the *Invasion* EO, the OMB Directive, and the NGO Grants Directive further illustrates that Secretary Noem’s mandate to pause DHS funding related to immigration was an effort to carry out the funding pause directed in the *Invasion* EO. Thus, Mr. Hamilton’s assertion that the manual review process was implemented in response

to Secretary Noem's January 28 memorandum truly means that the manual review process was implemented to comply with the funding directives in the *Invasion* EO.

But the connection between FEMA's manual review process and the *Invasion* EO does not end with the NGO Grants Directive. On February 19, Secretary Noem issued a memorandum titled "Restricting Grant Funding for Sanctuary Jurisdictions." ECF No. 174 at 42-43. This memorandum ordered that:

All components are to review all federal financial assistance awards to determine if Department funds, directly or indirectly, are going to sanctuary jurisdictions. To the extent consistent with relevant legal authorities and the applicable terms and conditions of each award, each component must cease providing federal funding to sanctuary jurisdictions."<sup>6</sup>

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<sup>6</sup> The memorandum defines sanctuary jurisdictions as:

- Jurisdictions that fail to comply with the information sharing requirements of 8 U.S.C. §§ 1373 and 1644.
- Jurisdictions that violate other relevant laws, including prohibitions on encouraging or inducing an alien to come to, enter, or reside in the United States in violation of law, 8 U.S.C. § 1324(a)(1)(A)(iv), prohibitions on transporting or moving illegal aliens, *id.* § 1324(a)(1)(A)(ii), prohibitions on harboring, concealing, or shielding from detection illegal aliens, *id.* § 1324(a)(1)(A)(iii), and any applicable conspiracy, aiding or abetting, or attempt liability respecting these statutes.
- Jurisdictions that fail to honor requests for cooperation, such as participation in joint operations, sharing of information, or requests for short term detention of alien pursuant to a valid detainer. A jurisdiction, however, is not a sanctuary jurisdiction merely because it lacks the necessary resources to assist in a particular instance.
- Any jurisdiction that fails to provide access to detainees, such as when an immigration officer seeks to interview a person who might be a removable alien.
- Any jurisdiction that leaks the existence of an enforcement operation.

ECF No. 174 at 42-43.

*Id.* at 43. On March 20, Mr. Hamilton sent a memorandum to Secretary Noem that outlined FEMA’s proposed plans to ensure compliance with the NGO Grants Directive and the Secretary’s February 19 memorandum. *See id.* at 18-41. Specifically, Mr. Hamilton proposed a “review process” for grant programs that FEMA administers to ensure alignment “with Administration and Secretary priorities on non-governmental organizations, immigration, and sanctuary jurisdictions.” *Id.* at 18. Secretary Noem approved the proposals on March 25. *See id.* at 20-21.

Secretary Noem’s directive that “each component must cease providing federal funding to sanctuary jurisdictions” effectuates the *Invasion* EO mandate that the DHS Secretary “shall . . . evaluate and undertake any lawful actions to ensure that so-called ‘sanctuary’ jurisdictions . . . do not receive access to Federal funds.” *Compare* ECF No. 174 at 43 *with* 90 Fed. Reg. at 8447. Thus, Mr. Hamilton’s March 20 memorandum reveals that FEMA’s adoption of a manual review process—which purports to ensure compliance with Secretary Noem’s February 19 memorandum—is essentially an adoption of a funding review scheme that strives to effectuate the funding mandates in section 17 of the *Invasion* EO, which the Court enjoined in its preliminary injunction.

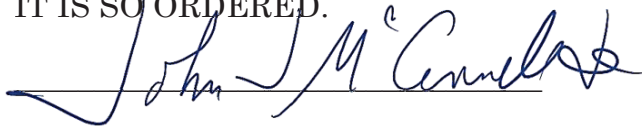
The Court reaffirms its preliminary injunction order that the Defendants are enjoined from “pausing, freezing, blocking, canceling, suspending, terminating, or otherwise impeding the disbursement of appropriated federal funds to the States . . . based on the OMB Directive, **including funding freezes dictated, described, or implied**

by Executive Orders issued by the President before rescission of the OMB Directive or any other materially similar order, memorandum, directive, policy, or practice under which the federal government imposes or applies a categorical pause or freeze of funding appropriated by Congress.” ECF No. 161 at 44 (emphasis added). FEMA received notice of the preliminary injunction order, the order is clear and unambiguous, and there are no impediments to FEMA’s compliance with the order. The record makes clear that FEMA’s manual review process imposes an indefinite pause on the disbursement of federal funds to the States, based on funding freezes dictated by: (1) the *Invasion* EO—an “Executive Order issued by the President before rescission of the OMB Directive”—and (2) Secretary Noem’s NGO Grant Directive and February 19 memorandum—i.e., memoranda that are “materially similar” to the *Invasion* EO “under which the federal government imposes . . . a categorical pause or freeze of funding appropriated by Congress.” Thus, FEMA’s manual review process violates the Court’s preliminary injunction order. So in accordance with the preliminary injunction order, FEMA is hereby ORDERED as follows:

1. Throughout the duration of the preliminary injunction order, FEMA must immediately cease the challenged manual review process implemented pursuant to Secretary Noem’s “Direction on Grants to Non-governmental Organizations” and “Restricting Grant Funding for Sanctuary Jurisdictions” memoranda—including the manual review process as described in Cameron Hamilton’s March 20, 2025 Memorandum to DHS Secretary Noem.
2. FEMA must immediately comply with the plain text of the preliminary injunction order not to pause or otherwise impede the disbursement of appropriated federal funds to the States based on funding freezes dictated, described, or implied by Executive Orders issued by the President before the rescission of the OMB Directive, which includes sections 17 and 19 of the *Invasion* Executive Order.

3. FEMA must direct notice of this Order and notice of the Court's preliminary injunction order to FEMA's leadership and all FEMA staff who administer these FEMA grants and other federal financial assistance. FEMA shall provide confirmation of these notices, including the names of recipients of the notice, no later than 48 hours after this Order.
4. FEMA shall file notice with this Court within 10 days, evidencing its payment to the States of each of the challenged payments this Order effected.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "John J. McConnell, Jr.", written over a horizontal line.

John J. McConnell, Jr.

Chief Judge

United States District Court for the District of Rhode Island

April 4, 2025

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

STATE OF NEW YORK; STATE OF  
CALIFORNIA; STATE OF ILLINOIS;  
STATE OF RHODE ISLAND; STATE  
OF NEW JERSEY;  
COMMONWEALTH OF  
MASSACHUSETTS; STATE OF  
ARIZONA; STATE OF COLORADO;  
STATE OF CONNECTICUT; STATE  
OF DELAWARE; THE DISTRICT OF  
COLUMBIA; STATE OF HAWAII;  
OFFICE OF THE GOVERNOR *ex rel.*  
ANDY BESHEAR, in his official  
capacity as Governor of the  
COMMONWEALTH OF KENTUCKY;  
STATE OF MAINE; STATE OF  
MARYLAND; STATE OF  
MICHIGAN; STATE OF  
MINNESOTA; STATE OF NEVADA;  
STATE OF NEW MEXICO; STATE  
OF NORTH CAROLINA; STATE OF  
OREGON; STATE OF VERMONT;  
STATE OF WASHINGTON; and  
STATE OF WISCONSIN,

Plaintiffs,

v.

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. OFFICE OF  
MANAGEMENT AND BUDGET;  
RUSSELL VOUGHT, in his official  
capacity as Director of the U.S. Office  
of Management and Budget; U.S.  
DEPARTMENT OF THE  
TREASURY; SCOTT BESSENT, in  
his official capacity as Secretary of the  
Treasury; PATRICIA COLLINS, in  
her official capacity as Treasurer of  
the United States; U.S.

C.A. No. 1:25-cv-39-JJM-PAS



DEPARTMENT OF HEALTH AND )  
HUMAN SERVICES; ROBERT F. )  
KENNEDY, JR., in his official )  
capacity as Secretary of Health and )  
Human Services; U.S. )  
DEPARTMENT OF EDUCATION; )  
LINDA MCMAHON, in her official )  
capacity as Secretary of Education; )  
U.S. DEPARTMENT OF )  
TRANSPORTATION; SEAN DUFFY, )  
in his official capacity as Secretary of )  
Transportation; U.S. DEPARTMENT )  
OF LABOR; LORI CHAVEZ- )  
DEREMER, in her official capacity as )  
Secretary of Labor; U.S. )  
DEPARTMENT OF ENERGY; CHRIS )  
WRIGHT, in his official capacity as )  
Secretary of Energy; U.S. )  
ENVIRONMENTAL PROTECTION )  
AGENCY; LEE ZELDIN, in his )  
official capacity as Administrator of )  
the U.S. Environmental Protection )  
Agency; U.S. DEPARTMENT OF THE )  
INTERIOR; DOUG BURGUM, in his )  
official capacity as Secretary of the )  
Interior; U.S. DEPARTMENT OF )  
HOMELAND SECURITY; KRISTI )  
NOEM, in her capacity as Secretary of )  
Homeland Security; U.S. )  
DEPARTMENT OF JUSTICE; )  
PAMELA BONDI, in her official )  
capacity as Attorney General of the )  
U.S. Department of Justice; THE )  
NATIONAL SCIENCE )  
FOUNDATION; DR. SETHURAMAN )  
PANCHANATHAN, in his capacity as )  
Director of the National Science )  
Foundation; U.S. DEPARTMENT OF )  
AGRICULTURE; BROOKE )  
ROLLINS, in her official capacity as )  
Secretary of Agriculture; U.S. )  
DEPARTMENT OF HOUSING AND )  
URBAN DEVELOPMENT; SCOTT )  
TURNER, in his official capacity as )



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Secretary of Housing and Urban )  
Development; U.S. DEPARTMENT )  
OF STATE; MARCO RUBIO, in his )  
official capacity as Secretary of State; )  
U.S. AGENCY FOR )  
INTERNATIONAL DEVELOPMENT; )  
MARCO RUBIO, in his official )  
capacity as Acting Administrator of )  
the United States Agency for )  
International Development; U.S. )  
DEPARTMENT OF DEFENSE; )  
PETER HEGSETH, in his official )  
capacity as Secretary of Defense; U.S. )  
DEPARTMENT OF VETERANS )  
AFFAIRS; DOUG COLLINS, in his )  
official capacity as Secretary of )  
Veterans Affairs; U.S. )  
DEPARTMENT OF COMMERCE; )  
HOWARD LUTNICK, in his official )  
capacity as Secretary of Commerce; )  
NATIONAL AERONAUTICS AND )  
SPACE ADMINISTRATION; JANET )  
PETRO in her official capacity as )  
Acting Administrator of National )  
Aeronautics and Space )  
Administration; CORPORATION )  
FOR NATIONAL AND COMMUNITY )  
SERVICE; JENNIFER BASTRESS )  
TAHMASEBI, in her official capacity )  
as Interim Head of the Corporation )  
for National and Community Service; )  
U.S. SOCIAL SECURITY )  
ADMINISTRATION; LELAND )  
DUDEK, in his official capacity as )  
Acting Commissioner of United States )  
Social Security Administration; U.S. )  
SMALL BUSINESS )  
ADMINISTRATION; and KELLY )  
LOEFFLER, in her official capacity as )  
Administrator of U.S. Small Business )  
Administration, )  
 )  
Defendants. )

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## ORDER

The Court recently granted the Plaintiff States' Motion for Enforcement of the Court's March 6 Preliminary Injunction after finding that Defendant Federal Emergency Management Agency ("FEMA") was implementing a manual review process that violated the injunction. *See* ECF No. 175. The Defendants now bring this Motion for Reconsideration of the Court's Enforcement Order based on the Supreme Court's recent ruling on an emergency stay application in *Department of Education v. California*, No. 24A910, 2025 WL 1008354 (Apr. 4, 2025) (per curiam). The Defendants assert the ruling in *California* suggests that "this Court lacks jurisdiction to consider the Plaintiffs' enforcement motion relating to non-payment of various FEMA grants." ECF No. 176 at 3. Thus, the Defendants ask that the Court withdraw its Enforcement Order or stay the Order pending resolution of their appeal of the underlying Preliminary Injunction.<sup>1</sup> *Id.* at 1.

The States assert that the Defendants' request to reconsider is "flawed on multiple levels" because: (1) the Defendants never argued this position when opposing the Preliminary Injunction and thus, cannot "collateral[ly] attack" the Preliminary Injunction at this stage because they have appealed it; and (2) this Court's Enforcement Order is not an action to enforce a contract between the States and the Defendants, but rather it is an enforcement of the Court's Preliminary Injunction prohibiting a categorical freeze on obligated funds. *See* ECF No. 179 at 1-5.

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<sup>1</sup> The First Circuit denied a stay of the Court's Preliminary Injunction. ECF No. 171.

After careful consideration, the Court DENIES the Defendants' Motion for Reconsideration and request for a stay of the Court's Enforcement Order.

## I. DISCUSSION

In *Department of Education v. California*, the Supreme Court stayed, pending appeal, a district court's temporary restraining order that enjoined the Government from terminating education-related grants. 2025 WL 1008354, at \*2. When analyzing the relevant factors for granting a stay pending appeal, the Supreme Court held that "the Government is likely to succeed in showing the District Court lacked jurisdiction to order the payment of money under the APA." *Id.* at \*1. What is at issue here is the Supreme Court's assessment on jurisdiction. The Supreme Court highlighted that the APA's sovereign immunity waiver does not apply to claims seeking "money damages." *Id.* (citing 5 U.S.C. § 702). The Supreme Court reaffirmed its precedent indicating that "a district court's jurisdiction 'is not barred by the possibility' that setting aside agency's action may result in the disbursement of funds." *Id.* (quoting *Bowen v. Massachusetts*, 487 U.S. 879, 910 (1988)). But the Supreme Court explained that the APA's immunity waiver "does not extend to orders 'to enforce a contractual obligation to pay money' along the lines of what the District Court ordered . . . ." *Id.* (quoting *Great-West Life & Annuity Ins. Co. v. Knudson*, 534 U.S. 204, 212 (2002)). Rather, the Supreme Court noted that the "Tucker Act grants the Court of Federal Claims jurisdiction over suits based on 'any express or implied contract with the United States.'" *Id.* (quoting 28 U.S.C. § 1491(a)(1)).

On a surface level, the facts in the *California* case may appear to be generally analogous to the facts here, as both cases involve states challenging federal agencies' decision-making regarding appropriated federal funds, but the similarities end there. When the Court delves deeper, however, it finds several significant and relevant differences that underscore *California's* inapplicability to this case. In *California*, the First Circuit Court of Appeals determined that "the terms and conditions of each individual grant award" were "at issue." *California v. U.S. Dep't of Educ.*, 132 F.4th 92, 96-97 (1st Cir. 2025). On appeal, the Supreme Court then granted the Department's application for a stay because it concluded that the district court issued an order "to enforce a contractual obligation to pay money" and "the Government is likely to succeed in showing the District Court lacked jurisdiction to order the payment of money under the APA." *California*, 2025 WL 1008354, at \*1. That is not the case here.

In this case, the terms and conditions of each individual grant that the States receive from the Agency Defendants *are not at issue*. Rather, this case deals with the Agency Defendants' implementation of a broad, categorical freeze on obligated funds *pending* determinations on whether it is lawful to end disbursements of such funds. The categorical funding freeze was not based on individualized assessments of any particular grant terms and conditions or agreements between the Agency Defendants and the States; it was based on the OMB Directive and the various Executive Orders that the President issued in the early days of the administration. Therefore, the



Court's orders addressing the categorical funding freeze were *not* enforcing a contractual obligation to pay money.<sup>2</sup>

This is particularly true with the Court's Enforcement Order, which is the target of the Defendants' Motion to Reconsider. Specifically, the Court did not, and was not required to, review and analyze the contractual obligations or any provision of the agreements between FEMA and the States. This matter is a claim about process, not damages. Thus, the action the Court enjoined was the implementation of that categorical freeze—*not* action that breached any specific contract-like agreements.

In any event, the Supreme Court's ruling in *California* was made in the context of an emergency application for a stay pending appeal. In that procedural posture, the Supreme Court relied on "barebones briefing, no argument, and scarce time for reflection" when applying a likelihood of success standard to the Government's application—engaging in a limited analysis of *Bowen* and *Great-West* and a perfunctory discussion of jurisdictional issues, which does not appear to fully resolve the jurisdiction issues here. *Id.* at \*2 (Kagan, J., dissenting). Rather, *Bowen* is the guiding compass here, as the case instructs the Court to carefully scrutinize the

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<sup>2</sup> *California's* suggestion that the Court of Claims has jurisdiction over similar claims does not apply here for another critical reason. The Court of Claims, an Article I court, would not have the powers to adjudicate the States' claims because it generally does not have equitable jurisdiction—therefore the States could not seek equitable relief from the categorical funding freeze in the Court of Claims. *United States v. Tohono O'Odham Nation*, 563 U.S. 307, 313 (2011) (citations omitted) (the United States Court of Federal Claims "has no general power to provide equitable relief against the Government or its officers.").

States' claims and requests for relief to decide whether: (1) the Court has jurisdiction under the APA, or (2) the Court of Claims has jurisdiction under the Tucker Act.

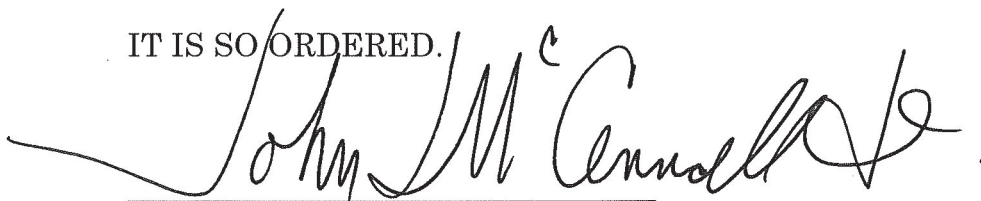
Recall that the APA's sovereign immunity waiver does not apply to claims for "money damages." 5 U.S.C. § 702. What *Bowen* affirms is that, even if a court's enforcement order can be "construed in part as orders for the payment of money by the Federal Government to the State, such payments are not 'money damages'" precluded under the APA. *Bowen*, 487 U.S. at 910. The Court's Enforcement Order—and underlying Preliminary Injunction—do not grant "money damages" because money damages are a remedy at law that "provide[s] relief that substitutes for that which ought to have been done." *Id.* The Court's orders do not provide monetary relief that is a *substitute* for the harm the States experience from the categorical funding freeze. Instead, the Court's orders provide *specific relief*, as they "undo the [Agency Defendants' acts effecting a categorical freeze of federal funds obligated to] the State[s]." *Id.* That the Court's orders could give rise to the disbursement of funds to the States does not bar its jurisdiction under the APA—particularly when, as here, such disbursements are a "mere by-product" of the Court's "primary function" of reviewing the Agency Defendants' "interpretation of federal law" and regulation. *Id.* Accordingly, *Bowen* makes clear that the Court has jurisdiction, under the APA, to set aside FEMA's actions pursuant to its Preliminary Injunction.

Additionally, the Supreme Court's limited ruling in *California* does not require this Court to reconsider its prior rulings for other reasons. Unlike in *California*, there is no indication in this case that the States could not or would not pay the money back

if so ordered. This Court cited extensive irreparable harm if the Preliminary Injunction and Enforcement Order were not issued, unlike in *California*, where the Supreme Court found that the “Government compellingly argues that [the plaintiff states] would not suffer irreparable harm.” *California*, 2025 WL 1008354, at \*1. Thus, the significant distinctions render the Supreme Court’s holding in *California* inapplicable to the facts here.

Thus, the Court DENIES the Defendants’ Motion for Reconsideration of the Court’s Enforcement Order. ECF No. 176. Additionally, the Court DENIES the Defendants’ alternative request for a stay pending appeal of the Court’s Enforcement Order because that order is not appealable. As concluded above, the Court merely enforced its March 6, 2025 Preliminary Injunction when instructing FEMA to cease actions that violated its plain terms. The Court did not modify the injunction to make the Enforcement Order appealable under 28 U.S.C. § 1292(a)(1). Finally, the Court dissolves the administrative stay it imposed while it considered this Motion to Reconsider (Text Order, Apr. 7, 2025) and reinstates the Enforcement Order. ECF No. 175.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "John J. McConnell, Jr.", with a stylized flourish at the end.

John J. McConnell, Jr.  
Chief Judge  
United States District Court

April 14, 2025